FEDERAL REGISTER

VOLUME 22 NUMBER 23

Washington, Saturday, February 2, 1957

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

[FHA Instruction 428.1]

PART 331—POLICIES AND AUTHORITIES

AVERAGE VALUES OF FARMS: TEXAS

On January 4, 1957, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for the counties identified below were determined to be as herein set forth. The average values heretofore established for said counties, which appear in the tabulations of average values under § 331.17, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values set forth below for said counties.

TEXAS

County:	*Average value*
Comal	$40,000
Guadalupe	40,000
Knox	40,000
McLennan	30,000

(Sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1))

Dated: January 28, 1957.

[SEAL] K. H. HANSEN,
Administrator,
Farmers Home Administration.

[F. R. Doc. 57-789; Filed, Feb. 1, 1957; 8:47 a. m.]

Subchapter C—Operating Loans

[FHA Instructions 441.1 and 441.2]

PART 341—POLICIES AND AUTHORITIES

The heading of Subchapter C, "Production and Subsistence Loans," Title 6, Code of Federal Regulations, is changed to "Operating Loans." Part 341 of said Subchapter is divided into Subpart A, "Operating Loans to Full-Time Family-Type Farmers," and Subpart B, "Operating Loans to Part-Time Farmers," and is revised to read as follows:

Subpart A—Operating Loans to Full-Time Family-Type Farmers

Sec.
341.1 General.
341.2 Objectives.
341.3 Supervisory assistance.
341.4 Relationship with other types of Farmers Home Administration loans.
341.5 Eligibility.
341.6 Certification by applicant.
341.7 Certification by County Committee.
341.8 Loan purposes.
341.9 Rates and terms.
341.10 Security policies.
341.11 Land tenure.
341.12 Loan limitations and requirements.
341.13 Loan approval.

Subpart B—Operating Loans to Part-Time Farmers

341.21 General.
341.22 Objectives.
341.23 Supervisory assistance.
341.24 Relationship with other types of Farmers Home Administration loans.
341.25 Eligibility.
341.26 Certification by the applicant.
341.27 Certification by the County Committee.
341.28 Loan purposes.
341.29 Rates and terms.
341.30 Security policies.
341.31 Land tenure.
341.32 Loan limitations and requirements.
341.33 Loan approval.
341.34 Special authority to alter eligibility requirements.

AUTHORITY: §§ 341.1 to 341.34 issued under sec. 41 (1), 60 Stat. 1066; 7 U. S. C. 1015 (1). Interpret or apply sec. 21, 70 Stat. 802, sec. 44, 60 Stat. 1068; 7 U. S. C. 1007, 1018.

SUBPART A—OPERATING LOANS TO FULL-TIME FAMILY-TYPE FARMERS

§ 341.1 *General.* (a) This subpart prescribes the policies and authorities for making Operating loans to full-time operators of family-type farms as authorized under Title II of the Bankhead-Jones Farm Tenant Act. The terms "full-time operator" and "family-type farm" as used in this subpart are defined in § 341.5.

(b) Preference will be given to eligible veteran applicants in making Operating loans. However, there is no difference in the eligibility and loan requirements for veterans and nonveterans.

§ 341.2 *Objectives.* The objectives of Operating loans to full-time family-type farmers and stockmen are to assist them to become established successfully in a sound, well-balanced system of farming

(Continued on next page)

CONTENTS

FEDERAL REGISTER

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for $1.50 per month or $15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

CODIFICATION GUIDE—Con.

or stock raising and to make full and efficient use of their land and labor resources. These objectives will be accomplished through the extension of credit and supervisory assistance.

§ 341.3 *Supervisory assistance.* Full-time family-type farmers obtaining Operating loans will receive supervisory assistance to the extent necessary to assure that the objectives outlined in § 341.2 are accomplished and that the interests of the Government are protected.

(a) Borrowers who receive initial Operating loans, except those whose loans are scheduled for payment in full from the income received from the first year's operations, will receive assistance in developing Long-Time and Annual Farm and Home Plans, keeping records, and analyzing their farm and home business. In addition, these borrowers will receive farm and home visits to assist them in carrying out their Farm and Home Plans. Such borrowers who receive subsequent loans will receive the same type of plans and other supervisory assistance even though the subsequent loan may be scheduled for repayment from the year's operations for which such loan is made.

(b) Borrowers who receive initial Operating loans scheduled for payment in full from the first year's operations will receive assistance in developing Annual Farm and Home Plans for the period for which the loan is made. They will also receive such additional supervisory assistance as is necessary to accomplish the objectives of the loan, including farm and home visits and assistance in keeping farm and home records. Subsequent loans to such bor-

rowers will be based on the same type of plan and other supervisory assistance. However, if such a borrower receives a subsequent loan which is not scheduled for payment in full from income to be received from the crop year's operations for which the loan is made, such borrower will receive assistance in developing long-time and annual plans and other supervisory assistance as provided in paragraph (a) of this section.

§ 341.4 *Relationship with other types of Farmers Home Administration loans*—(a) *Real Estate loans.* Generally real estate improvements needed on the farm of an applicant should be obtained through a Real Estate loan. Operating loans for the improvement of real estate may be made only for the limited purposes and under the conditions prescribed in § 341.8.

(b) *Production Emergency loans.* Initial Operating loans will not be made to applicants in areas designated for Production Emergency loans when the credit needed is primarily for annual operating expenses and can be scheduled for payment in full from the first year's operations, provided such applicant's credit needs can be met adequately with such emergency loans.

(c) *Special Livestock loans.* Initial Operating loans will not be made to applicants who are also receiving initial Special Livestock loans. However, when a borrower already indebted for a Special Livestock loan needs additional credit for purposes which cannot be met with a subsequent Special Livestock loan, an Operating loan may be made provided all of the Operating loan requirements can be fully met.

§ 341.5 *Eligibility*—(a) *Applicant.* In order to be eligible for a loan, the applicant must—

(1) Be a citizen of the United States.

(2) Possess legal capacity to contract for the loan.

(3) Be unable to obtain sufficient credit to finance his actual needs at rates (but not exceeding the rate of five percent per annum) and terms prevailing in or near his community for loans of similar size and character. Real estate equity should be considered along with the other resources of an applicant in determining the availability of credit from private and cooperative sources.

(4) Be able to meet his major needs for operating credit within the indebtedness limitation prescribed in § 341.12, except for the financing of special enterprises such as some livestock feeding operations, and sugar beets where financing on a contractual or equally definite basis is available.

(5) Be an individual who possesses the character, ability, and industry necessary to carry out successfully the proposed farming operations and who will endeavor honestly to carry out the undertakings and obligations required of him in connection with the loan.

(6) Have had farm experience or training sufficient to indicate reasonable prospects of conducting successful family-type farming operations. He may be an individual who has recently been engaged in farming, and whose background and normal means of livelihood in the past have been farming, but who may not have farmed during the past few years.

(7) After the loan is made, be the operator of a family-type farm as an owner or tenant.

(8) Derive, after the loan is made, the major portion of his income from farming or stock raising and spend the major portion of his time in carrying on his farming or stock raising operations. Under this policy, an applicant who will be seasonably employed off the farm during the early years of his loans may qualify for assistance. However, a loan will not be made to an applicant who will carry on a type of farming which will require substantial income from other employment during the term of the loan or to an applicant who will be regularly employed off the farm. Payments to a veteran for pensionable disabilities and other veterans' benefits will not be considered in determining whether an applicant will derive the major portion of his income from farming operations.

(b) *Farm.* Operating loans to full-time family-type farmers are limited to individuals who, after the loan is made, will own or have available under satisfactory tenure arrangements a family-type farm suitable for carrying on a successful full-time farming operation. A family-type farm is defined as a farm that is of sufficient size and productivity to furnish income that will enable a farm family to have a reasonable standard of living, pay operating expenses including maintenance of necessary livestock, farm and home equipment, and land and buildings, pay their debts, and have a reasonable reserve to meet unforeseen emergencies; for which the management is furnished by the operator and his immediate family; and for which the labor is furnished primarily by such operator and family except during seasonal peak-load periods. It is not intended to include in this definition farms which require large amounts of seasonal hired labor.

§ 341.6 *Certification by applicant.* Before an application for an Operating loan is considered, the applicant must certify in writing on Form FHA–49, "Certifications—Operating Loan," that he is a citizen of the United States and that sufficient credit to meet his actual needs for the designated crop year is not available to him at rates (but not exceeding the rate of five percent per annum) and terms for loans of similar size and character prevailing in or near the community where he resides. The applicant also must agree to abide by the other provisions set forth in Form FHA–49.

§ 341.7 *Certification by County Committee.* Before an Operating loan is approved, the County Committee must certify in writing on Form FHA–49 at a Committee meeting that the applicant is eligible to receive a loan under the provisions of Title II of the Bankhead-Jones Farm Tenant Act; that credit sufficient in amount to finance the actual needs of the applicant is not available to him at the rates (but not exceeding the rate of five percent per annum) and terms prevailing in or near the community in which the applicant resides for loans of similar size and character from commercial banks, cooperative lending agencies, or from any other responsible source; and that in the opinion of the Committee, the applicant will honestly endeavor to carry out the undertakings and obligations required of him. In addition, the County Committee will establish the maximum amount of credit which may be extended, under the certification, to meet the actual needs of the applicant during the crop year indicated. The County Committee will observe the eligibility requirements in § 341.5 in determining each applicant's eligibility. This consideration will be based on information furnished by the County Supervisor, the personal knowledge of the Committeemen, and, if necessary, on information gathered in an investigation by the Committee, including an interview with the applicant family or a visit to the farm.

(a) The maximum amount of credit established by the County Committee will represent the ceiling for the total of all Operating loans which may be made to the applicant during the designated crop year under the County Committee certification. It will not necessarily represent the amount which actually will be loaned.

(b) It is intended that County Committees will have some latitude in determining the crop year(s) for which credit may be extended.

(c) If it is found, after an applicant has been certified as eligible, that a different farm will be operated or that an amount of credit in excess of the maximum previously established by the County Committee will be required for the designated crop year, it will be necessary for the County Committee again to certify the applicant as eligible on the basis of the changed circumstances if a loan is to be made.

§ 341.8 *Loan purposes.* (a) Operating loans may be made for—

(1) The purchase of necessary livestock, farm equipment, and other farm needs. This includes the purchase of bulk milk tanks and pipeline milkers, provided the applicant is obtaining an Operating loan for other purposes, and such equipment can be made subject to a chattel lien under the state law. These purposes do not include the purchase of passenger automobiles.

(2) The purchase of feed, seed, fertilizer, insecticides, farm supplies, and equipment repairs, and to meet other essential farm operating expenses, including the payment of social security taxes in connection with hired labor.

(3) The payment of customary and equitable charges for the use of farm buildings, pasture land, grazing permits, and cash rent for crop and hay land for not more than one year in advance, provided:

(i) The applicant is obligated under a written lease to pay in advance the amount to be loaned for such purpose.

(ii) The terms of the lease provide the applicant with reasonably secure and satisfactory tenure.

(4) The payment of bills that were incurred for annual recurring operating expenses in connection with the production of livestock, livestock products, and crops that are to be harvested or marketed during the crop year for which the loan is being made. This does not authorize the payment of bills incurred in connection with crops, livestock, or livestock products that have been lost, destroyed, or disposed of prior to loan approval.

(5) The payment of taxes due or about to become due on real and personal property, water or drainage charges or assessments, premiums for insurance on real and personal property, and not more than a year's interest, calculated at a rate not to exceed that which is reasonable and customary for the area, that is due or about to become due on debts secured by liens on livestock, farm equipment, and farm real estate owed to other creditors. Loans will be made for these purposes only if arrangements cannot be made to pay such expenses as future income becomes available. However, loan funds will not be used to pay taxes or insurance premiums in connection with real estate securing Farmers Home Administration loans other than Operating loans.

(6) Meeting family subsistence needs, including premiums on reasonable amounts of health and life insurance and expenses for medical care. Applicants must, however, within the limits of their resources, plan and carry on adequate food production and conservation programs. Normally, family subsistence needs should be met from income. However, in justifiable cases, such as those in which the income will not be received by the time that family subsistence needs must be met, loan funds may be used for these purposes if no other satisfactory arrangements can be made.

(7) The purchase of essential home equipment and furnishings, and the payment for home equipment repairs required by the applicant family to sustain itself on the farm in a reasonably satisfactory manner; provided, such expenses cannot be met from cash on hand or on terms which the family could reasonably be expected to meet as income becomes available.

(8) Acquiring memberships in farm purchasing and marketing and farm-service-type cooperative associations. However, loan funds will not be used to purchase memberships in production cooperatives, participate in any land purchasing or land leasing program, purchase memberships for the purpose of establishing control by the Farmers Home Administration in any type of cooperative, or furnish a majority of the associations' capital requirements.

(9) The payment of debts secured by liens on livestock, farm equipment, and harvested feed and the payment of unsecured debts incurred for the acquisition of livestock and farm equipment when such action is necessary to enable the applicant to continue his farming operations on a sound basis, or prevent a split line of credit between the Farmers Home Administration and another creditor(s) in connection with a basic livestock herd or flock, provided the property involved is essential to the applicant's farming operations and is of the type and quality needed, and the amount refinanced does not exceed the fair market value of the property on which the indebtedness is owed as shown by an appraisal report on such property made by the county supervisory personnel and included in the docket. When unsecured debts are to be refinanced, as provided in this subparagraph, the applicant will be required to sign a statement to be inserted on, or attached to, the appraisal report referred to above showing that the debt for which refinancing is requested was incurred to acquire the livestock or farm equipment described therein. When the payment of debts under this subparagraph is involved, the creditor will be contacted, in person when practicable, to discuss the applicant's credit needs in order to ascertain if the refinancing is necessary and in line with Farmers Home Administration policies. Since the primary objective of loans made under this Subpart is the making of adjustments and improvements in applicant's farming operations, it is expected that the major portion of the funds available for loans will be used for such purposes. It is recognized, however, that some farmers because of conditions such as drought and price-cost readjustments are unable to make the required payments on their debts from income, are being required to dispose of chattels which are necessary to continue successfully their farming operations, or are otherwise so hard pressed by their creditors that their farming operations will be seriously affected. Therefore, loans may be made in cases in which the primary purpose of the loan is the refinancing of the debts referred to in this subparagraph, provided the requirements of the proviso in the first sentence of this subparagraph are met and the loan can be made on a sound basis. It is not intended, however, that the Farmers Home Administration will refinance the bad loans of other lenders or supplant other sources of credit.

(10) The construction of necessary farm buildings, making essential repairs and improvements to existing farm buildings, and purchasing equipment and paying other costs incident to establishing or improving a farmstead water supply, provided not more than $1,000 may be advanced to a borrower for any or all such purposes during any fiscal year, and subject to the limitations in paragraph (b) of this section.

(11) The purchase of fencing material, provided not more than $500 may be advanced to a borrower for such purpose during any fiscal year, and subject to the limitations in paragraph (b) of this section.

(12) The establishment and improvement of pastures and hay crops, the construction of terraces, waterways, and farm ponds, the clearing, leveling, and drainage of land, and the payment for other approved soil and water conservation and improvement measures, provided not more than $1,000 may be advanced to a borrower for any or all such purposes during any fiscal year, and subject to the limitations in paragraph (b) of this section.

(b) The use of Operating loan funds for real estate improvements authorized in subparagraph (10), (11), and (12) of paragraph (a) of this section is subject to the following limitations:

(1) It is not intended that these authorities will be used to make substantial real estate improvements by advancing funds year after year.

(2) Before an Operating loan is made for such real estate improvements, a careful analysis must be made of the applicant's resources and proposed operations and a determination made that such real estate improvements cannot be provided practicably through Farm Ownership or Farm Housing loans, that the land improvements and water development credit needs are not of such substantial amounts that a Soil and Water Conservation loan should be made, that the farm can be developed to the extent that a sound farm and home program can be established on the farm within the prescribed operating loan limitations, taking into consideration the applicant's need for additional operating credit during the period of development, and that the applicant will be able to pay his Operating loans within the prescribed payment period.

(3) Generally, additional real estate improvements needed on the farm of a Farmers Home Administration Real Estate loan borrower should be obtained through a Real Estate loan. However, when the development costs are small in relation to the real estate investment and can be provided under the policies hereinbefore set forth in this Subpart, Operating loan funds may be used for this purpose provided the loan approval official determines that:

(i) In the case of a Farm Ownership borrower, the sum of the unpaid balance on the Farm Ownership loan, any other indebtedness secured by liens on the real estate, plus the amount of the Operating loan being used for real estate improvements will not exceed the Farm Ownership loan limitations with respect to the value of the farm as certified by the County Committee.

(ii) In the case of a Farm Housing or Soil and Water Conservation borrower whose loan is secured by real estate, the unpaid balance on the Farm Housing or Soil and Water Conservation loan, any other indebtedness secured by liens on the real estate, plus the amount of the Operating loan funds being used for real estate purposes do not exceed the normal market value of the farm as determined by the County Committee.

(4) Operating loan funds may not be used to finance real estate improvements which are included in the original Farm Development Plan.

(5) Operating loans may not be made to a tenant to finance real estate improvements unless he has a written lease for a sufficient period of time and under terms that will enable him to obtain reasonable returns on his investment. In addition, the lease in such case must provide for compensating the tenant for any unexhausted value of the improvement upon termination of the

lease. In cases involving tenant applications, the landlord, applicant, and County Supervisor must thoroughly discuss and agree to the proposed improvements. In the case of an owner-operator it must be determined before funds are advanced for real estate improvements that he will likely continue to operate the farm for a sufficient period of time and under such terms that will enable him to obtain reasonable returns on his investment.

§ 341.9 *Rates and terms.* Interest will be charged at the rate of 5 percent per annum on all Operating loans. Interest will accrue from the date of the loan check on outstanding principal only and will not be compounded. Loans will be scheduled for payment as follows:

(a) Payments of principal on Operating loans will be scheduled in accordance with the borrower's reasonable ability to pay, determined by an analysis of his farm and home operations as reflected in his Farm and Home Plans except that payments must be in more than token amounts. Except as provided in paragraph (b) of this section, principal payments on such loans will be scheduled at least annually, unless it is determined that income sufficient to meet the initial payment will not be received within 12 months from the date of the loan check, in which case the initial payment may be scheduled on a date coinciding with the date the income is to be received, but not beyond 18 months from the date of the loan check, and at least one payment will be scheduled during each 12-month period thereafter. In no event will any payment be scheduled later than seven years from the date of the loan check.

(1) Advances for annual recurring operating expenses will be scheduled for payment when the principal income from the year's operations normally would be received.

(2) Advances for such purposes as seeding permanent-type legumes and grasses and for basic soil treatment may be scheduled for payment over a period consistent with the applicant's payment ability, but in no event longer than the expected life of the seeding or treatment.

(3) Advances to purchase or produce feed for productive livestock, or livestock to be fed for the market, will be scheduled for payment when the principal income from the sale of such livestock or livestock products can be expected.

(4) Advances for purposes other than those enumerated in subparagraphs (1), (2), and (3) of this paragraph will be scheduled for payment over the minimum period consistent with the applicant's ability to pay, as determined from an analysis of the farm and home operations. In no instance may the payment schedule extend beyond the useful life of the security offered for the advance. Where the conditions warrant such action, principal payments may be varied in amount from year to year. For example, when a livestock enterprise is being expanded as the feed and pasture program is developed, a graduated payment schedule could be used if necessary. In connection with subsequent loans for such purposes, it is necessary to consider payment schedules established previously for outstanding loans in order to assure a realistic over-all payment schedule within the limits prescribed above. In no case, however, should the late installments on a loan be scheduled in larger amounts than can be met from anticipated income.

(b) When it is anticipated that income will not be received early enough to pay the minimum initial principal payment required in accordance with the provisions of paragraph (a) of this section, plus interest, part or all of such payment, including advances for operating expenses, may be deferred in the situations indicated in subparagraphs (1) and (2) of this paragraph but not beyond the end of the second full crop year following the date of the loan. If a loan is made during a crop year and sufficient time remains in that year for the applicant to realize substantial benefits from the year's operations, the crop year during which the loan was made will be considered as the first full crop year. The amount of the initial principal installment scheduled for payment will be based upon the applicant's anticipated ability to pay, taking into consideration the fact that the interest which has accrued will fall due concurrently with each principal installment. Deferments may be approved only in the following situations:

(1) A major farm reorganization is planned and a relatively large amount of credit is being advanced to provide operating capital, or

(2) Substantial amounts of credit are being advanced for pasture development, fencing, and other land improvements, and a longer repayment period is needed for paying advances for these purposes, along with advances for capital purchases.

§ 341.10 *Security policies.* (a) The full amount of each loan will be secured as follows:

(1) *Crops.* By a first lien on the applicant's crops, or his share of the crops if he is a share tenant, which are growing or to be grown by him, subject only to

(i) The landlord's lien on the crops for reasonable cash or privilege rent for the current year;

(ii) The real estate mortgagee's lien or real estate purchase contract holder's lien on the crops for the current year's installment on the real estate debt, provided such installment is reasonable when related to the normal rental charges for similar farms in the area;

(iii) The lien of another creditor on a particular crop(s) for advances made or to be made by him to produce such crop(s) provided no advance will be made by the Farmers Home Administration in connection with such crop(s).

NOTE: If a landlord, real estate morgagee, or real estate purchase contract holder has a lien on the applicant's crops for advances made or to be made, supplies furnished or to be furnished, past due rent, or amounts owing in connection with the purchase of the real estate other than for the current year's reasonable installment, he will be required to subordinate such lien whether it exists by statute, lease, chattel mortgage, conditional sales contract, vendor's lien, land purchase contract, or other contract. Any other creditor will also be required to subordinate such lien he has on such crop(s) except as provided in subdivision (iii) of this subparagraph.

(2) *Livestock and farm equipment purchased or refinanced.* By a first lien on all livestock and farm equipment purchased or refinanced with the proceeds of the loan, except that liens will not be taken on poultry kept primarily for family-living purposes, on small equipment and tools, or on household goods and equipment.

(3) *Other livestock and farm equipment of security value.* By a lien on the other livestock and farm equipment of security value owned by the applicant at the time the loan is approved, except that liens will not be taken on poultry kept primarily for family-living purposes, on small equipment and tools, on household goods and equipment, or on passenger automobiles subject to:

(i) The existing liens of the landlord, real estate mortgagee, or purchase contract holder on such property for amounts owed at the time the loan is approved, and for rent or installments on real estate which may become due in the future. Therefore, if such existing liens secure advances to be made or supplies to be furnished, the lienholder will be required to subordinate his lien for these purposes, whether it exists by statute, lease, chattel mortgage, conditional sales contract, vendor's lien, land purchase contract, or other contract.

(ii) The existing liens of creditors other than those specified in subdivision (i) of this subparagraph.

(4) *Liens and assignments to protect the government's interests in feed purchased or produced with loan funds.* Loans made to purchase or produce feed for livestock being fed for market or to be fed to productive livestock will ordinarily be secured by first liens on such livestock. However, when a first lien cannot be obtained, the loan will be secured by liens or assignments as provided below in subdivisions (i) and (ii) of this subparagraph.

(i) When the livestock will be owned by the applicant and a first lien cannot be obtained, a junior lien will be taken, provided it is determined that the applicant has, or will acquire during the feeding period, an equity in the livestock being fed or will receive income from livestock or livestock products, either of which must be commensurate with the investment made for this purpose; and prior lien holders sign Form FHA–916, Agreement—Special Livestock Loan, or similar form approved by the Attorney in Charge, agreeing to a suitable nondisturbance period and to a division of the income to be received from the livestock and livestock products, which will permit the applicant to pay his loan in accordance with the policies expressed in this subpart. However, when no payment is expected to be made on the loan from the livestock or livestock products, Form FHA–916 will not be required.

(ii) When the livestock enterprise is to be managed by the applicant under a livestock share lease, share agreement, or contract, and the income to be received therefrom will be from the live-

stock fed, or from livestock products, an assignment of such income will be taken provided the owner or purchaser of the livestock or livestock products accepts in writing the assignment. The form for use in obtaining such assignments will be approved by the Attorney in Charge. When the borrower's compensation under the livestock share lease, share agreement, or contract is livestock increase, the applicant will be required to agree in writing at the time the loan is made to give a first lien on such increase as soon as an effective lien can be taken, unless an after-acquired property clause in an existing lien instrument will provide such a first lien.

(5) *Assignments of crop insurance.* Borrowers having insurance on cash crops from which payments may be received will be required to give written assignments to the Farmers Home Administration of the proceeds of such insurance. If such insurance is to be obtained at a later date, an agreement will be reached with the borrower to give an assignment when the insurance is obtained. However, an assignment is not required in cases where a crop insurance policy contains a standard mortgage clause naming the Farmers Home Administration as mortgagee.

(6) *Assignments of proceeds from sale of agricultural products.* When loans are made to finance dairy or commercial egg enterprises from which payments are expected, assignments will be taken on the milk or egg income to assist in obtaining regular payments as income is received whenever it is possible to obtain an agreement from the purchaser to honor the assignments. Assignments of proceeds from the sale of other agricultural products or agricultural income, including wool incentive payments, will be taken when necessary to protect the interest of the Government and can be obtained.

(b) *Property insurance.* (1) Applicants obtaining Operating loans should be encouraged to carry insurance on their livestock, equipment, feed, seed, and other property necessary to afford them adequate protection against substantial losses from the common hazards existing in an area such as fire, lightning, and wind. It is especially desirable that insurance be obtained by applicants who obtain large loans and have considerable livestock, equipment, feed, and seed which are housed over an extended period. Such insurance may be obtained from any insurance company properly authorized to do business in the area.

(2) The hazards and risks to which security for Operating loans is subject vary substantially within and between States. Insurance coverage for security property, therefore, will not be made a general requirement in connection with the making of all Operating loans. However, loan approval officials may require individual borrowers to obtain suitable insurance as provided in Form FHA-30. __, "Crop and Chattel Mortgage," as a prerequisite to loan approval when such action is deemed necessary.

(3) When insurance is required as a loan approval condition or otherwise is carried by the borrower on property serving as security for an Operating loan, a mortgage clause will be attached to or printed in the policy in accordance with the principles outlined in Part 306 of this chapter.

(c) State Directors may require, on a State or other basis, because of State statutes or types of leases, land purchase contracts, and real estate mortgages, that as a condition to making Operating loans, the holders of such instruments subordinate their interests in whole or in part so that the Government can obtain the required security.

(d) Lien searches will be obtained in accordance with the provisions of Part 342 of this chapter to determine that the Government will have the required security.

§ 341.11 *Land tenure.* Good land tenure is essential in building a sound and successful farming business. Applicants will, therefore, be required to make satisfactory arrangements for the use of sufficient land of the quality necessary for carrying on an approved system of farming on a sound and practical basis. The tenure policies set forth below in this section will be followed by Farmers Home Administration officials in the making and approving of loans.

(a) *Tenant operators.* (1) Before a loan is made the tenant, the landlord, and the County Supervisor must understand the terms and conditions of the tenure arrangements. These understandings can best be reached through discussions, preferably on the farm, and such discussions will be held whenever possible except when no significant adjustments and improvements are to be made in the farming operations. In any event the understanding will include how the farm will be operated; the manner in which the planned adjustments and improvements will be financed; the distribution of income and expenses and other contributions by the tenant or the landlord; agreement on any pertinent long-time planning aspects of the case; and any other factors affecting the tenure relationship.

(2) Ordinarily, loans will not be made unless the applicant obtains a satisfactory written lease. However, when for good reason an applicant cannot obtain a written lease on part or all of the land he expects to operate, the loan may be approved, provided the County Supervisor determines that the understanding existing between the tenant and landlord are definite and the rental terms are satisfactory with respect to each tract of land; and the lack of a written lease will not likely jeopardize the applicant's farming operations.

(b) *Owner operators.* Before loans are made to owner-operators, the terms existing with respect to any real estate indebtedness owing will be ascertained and a determination will be made as to whether the applicant's proposed farming operations will enable him to meet the required payments on the real estate indebtedness as well as being sound in other respects, and the applicant will have reasonably secure tenure on the farm under the terms of the real estate mortgage or purchase contract.

§ 341.12 *Loan limitations and requirements.* The following loan requirements and limitations will be observed in making Operating loans;

(a) The amount of each loan will be limited to the needs of the applicant and his ability to pay. Normally, these needs can be met within a total outstanding principal indebtedness of $10,000. However, when the credit needs of an individual applicant exceeds this amount, because of the type of farming operation which he proposes to carry out or unusual operating needs, loans may be made which would result in an indebtedness in excess of $10,000, but in no case may a loan be made which would cause the total principal balance outstanding to exceed $20,000. In addition, the aggregate of the portion of the loans made in any fiscal year which increases the borrower's indebtedness above $10,000 may not exceed 10 percent of the appropriation for such loans for that year.

(b) No loan may be made to an applicant who has been indebted for loans made under Title II of the Bankhead-Jones Farm Tenant Act for seven consecutive years until all of his indebtedness under such loans has been liquidated by payment in full or debt settlement except as provided in paragraph (c) of this section. Normally, it is expected that a borrower will not need further Farmers Home Administration Operating loans after the 7-year period of continuous indebtedness.

(c) In individual cases in which the borrower has reached the 7-year continuous indebtedness limitation, and applies for additional credit, the County Committee will review thoroughly the borrower's past operations, present and future credit needs, and repayment ability. If it is determined by the County Committee and the loan approval official that the borrower is unable to pay his indebtedness as originally scheduled; that such inability was due to causes beyond the borrower's control, such as adverse weather, crop or livestock disease or pestilence, sickness, fire, reduction in acreage allotments, unfavorable price-cost relationships, or other economic factors occurring during the 7-year period of continuous indebtedness; that with an extension of the present indebtedness as provided herein and with additional Operating loans, the borrower will be able to accomplish the objectives of the loan and pay his indebtedness in full; that all junior lien holders will agree in writing to the proposed extension; and that the borrower meets the other requirements for the loan, the borrower's existing indebtedness or any installment thereof may be extended for a period not beyond 10 years from the debt limitation control date and during such extended period additional loans may be made to him.

(1) The installment(s) being extended will be scheduled for payment in line with the borrower's ability to pay, taking into consideration the other debts owed the Farmers Home Administration, provided:

(i) The installment(s) being extended will be scheduled for payment within 10

years from the debt limitation control date.

(ii) No installment of any existing note falling due after 10 years from the debt limitation control date may be extended as to date or changed as to amount.

(d) Loan funds may not be used to pay debts owed by the applicant to the Farmers Home Administration, or to make principal or interest payments on such debts. Loans may not be made for the purchase of real estate or for making principal payments on real estate already purchased. Among other things, this precludes the making of loans for the purpose of making down payments on Farm Ownership farms, for replacing livestock and equipment sold primarily for the purpose of obtaining funds with which to make such down payments, and for the refinancing of debts incurred for that purpose.

(e) Loans will not be made for the purchase of livestock or payment of debts on livestock which will result in split lines of credit between the Farmers Home Administration and other creditors in connection with a particular livestock herd or flock.

(f) A joint loan may be made to husband and wife, mother and son, or father and son, living together as a family and operating jointly the same farm unit. No other joint loans may be made. When joint loans are made, both individuals will execute the application, certification, loan authorization, notes, mortgages, and other documents required in connection with the making and closing of the loan.

(g) Separate loans may be made to eligible individuals who are engaged jointly in farming, provided not more than two individuals are interested in the operation; the security requirements contained in § 341.10 are met; and the operations provide the equivalent of a family-type operation for each applicant family. If a loan is made to only one such individual, it will be secured by a first lien on his interest in the crops and chattels and the other individual will be required to execute the mortgage with him so as to disclaim any interest in the security property offered by the applicant. If a loan is made to each of the two individuals, the security instruments for each will be executed by both, or a joint mortgage may be taken.

(h) Before a loan can be made to an applicant for whom debts have been settled pursuant to Part 364 of this chapter, or where a settlement under such subpart is contemplated, it must appear conclusively that the applicant's failure to pay his loan indebtedness was the result of circumstances beyond his control, that the causes which necessitated the debt settlement, other than weather hazards, disasters, or price fluctuations, have been removed, and that the borrower's operations will be sound and afford him a reasonable prospect of paying the loan and meeting his other obligations. Loans in such cases must be submitted to the National Office for review prior to approval.

(i) Loans will not be made to finance unproven types of farming enterprises in an area.

§ 341.13 *Loan approval*—(a) *Administrative determinations and responsibilities.* When an applicant has been certified by the County Committee as eligible to receive a loan in accordance with § 341.7, the loan approval official will determine administratively whether the applicant meets the requirements prescribed in § 341.5 and the other requirements for a loan. The loan approval official will determine that the applicant is eligible for assistance, that the applicant has satisfactory tenure arrangements, that the Long-Time Farm and Home Plan, where required, provides for a proper organization of the farm business, that the improvements and practices essential to successful farm and home operations have been planned, that the proposed operations are financially sound, that the amount of the loan and the purposes for which the funds are to be used are consistent with the family's needs and are for authorized purposes, that the loan can be paid in accordance with the payments scheduled, that the security requirements can be met, that the certifications required of the applicant and County Committee have been made, and that the loan meets all other Farmers Home Administration requirements.

(b) *Authority.* State Directors are hereby authorized to approve loans to eligible applicants subject to applicable policies and provisions contained in this subpart and Part 342 of this chapter, provided no loan may be approved which will result in an applicant becoming indebted in excess of $15,000 principal for loans made under Title II of the Bankhead-Jones Farm Tenant Act. A loan which will result in an applicant's total principal indebtedness under this title exceeding $15,000, but not exceeding $20,000, may also be approved by the State Director after prior review by the National Office. In order to provide for any unforeseen need for credit and protect the Government's interest, ordinarily, it is necessary for a reasonable margin to be maintained between the maximum indebtedness limitation and the amount loaned to an applicant.

(1) State Directors are hereby authorized to redelegate to qualified State Office employees, County Supervisors, and GS–7 Assistant County Supervisors, authority to approve loans, provided that County Supervisors and GS–7 Assistant County Supervisors may not be authorized to approve loans which will result in an applicant becoming indebted in excess of $10,000 principal for loans made under Title II of the Bankhead-Jones Farm Tenant Act and for Emergency Loans under Part 381 of this chapter.

(2) A debt limitation control date is established for each borrower. This date will be used in determining the continuous indebtedness limitation by the loan approval official.

SUBPART B—OPERATING LOANS TO PART-TIME FARMERS

§ 341.21 *General.* (a) This subpart prescribes the policies and authorities for making Operating loans to part-time farmers including operators of less than family-type farms as authorized under Title II of the Bankhead-Jones Farm Tenant Act, as amended.

(b) Preference will be given to eligible veteran applicants in making loans to part-time farmers.

§ 341.22 *Objectives.* The primary objective of Operating loans to part-time farmers and stockmen is to enable established bona fide part-time farmers who reside in areas designated for the Rural Development Program to more fully utilize their land and labor resources in order to make needed improvements in their living conditions and economic situation. Some part-time farmers in other areas also will qualify for loans under this subpart. This objective will be accomplished through the extension of credit and supervisory assistance.

§ 341.23 *Supervisory assistance.* Borrowers will receive supervisory assistance to the extent necessary to assure that the objectives outlined in § 341.22 are accomplished and that the interests of the Government are protected. Borrowers who are conducting part-time farming operations will receive assistance in developing an Annual Farm and Home Plan for the first full crop year and such additional assistance as is necessary to accomplish the objectives of the loan. Subsequent loans to such borrowers will be based on the same type of plans and other supervisory assistance. Even though annual plans are not developed in subsequent years, the County Supervisor will continue to service the outstanding loan to the extent necessary to assure that security property is being maintained properly, acceptable farming practices are being followed, and the maturities on Farmers Home Administration debts and any debts secured by prior liens are being paid when due.

§ 341.24 *Relationship with other types of Farmers Home Administration loans.* Operating loans to part-time farmers will bear the same relationship to other types of Farmers Home Administration loans as provided in § 341.4.

§ 341.25 *Eligibility*—(a) *Applicant.* In order to be eligible for a loan, the applicant must:

(1) Meet the same eligibility requirements as specified in subparagraphs (1), (2), (3), (4), and (5) of § 341.5 (a).

(2) Be an established bona fide farm operator at the time he applies for a loan and be an individual who has historically resided on a farm and depended on farm income for his livelihood. This means that to be eligible the applicant must have resided on a farm and depended on farm income for his livelihood a substantial portion of his life. Applicants who are spending a major portion of their time during the year in off-farm employment are not considered bona fide farmers and, therefore, are not eligible. Veterans will meet the same eligibility requiremetns as nonveterans except that a veteran recently returned from military service will not be required to be established as a bona fide farm operator at the time he applies for assistance.

(3) Have had farm experience or training sufficient to indicate reasonable prospects of conducting successful part-time farming operations.

(4) Need assistance to make improvements in his farming operations which cannot be provided from his income and resources so as to improve his general economic situation and living conditions.

(b) *Farm.* Operating loans to part-time farmers will be limited to individuals whose farms are of such size and productive capacity that they will produce agricultural commodities in sufficient quantities that the proceeds from their sale will be a substantial portion of the operator's total cash income which, together with income from other sources, including pensions in the case of disabled veterans, is sufficient to meet farm operating and family living expenses and provide for necessary capital replacements, meet payments on the Farmers Home Administration indebtedness, meet payments on any other indebtedness, and provide a reasonable reserve for emergencies. Such farms may be either less than family-type units or family-type units on which the applicant will carry on a type of farming that will require substantial income from other employment during the term of the loan.

(c) *Off-farm employment.* It must be determined that off-farm income will be reasonably certain to materialize in the amount anticipated, taking into consideration the nature of the proposed employment and the actual employment for the past two or three years, if any, and that the time required for the off-farm work, together with that required for the farm is possible of accomplishment by the applicant and his immediate family, taking into consideration seasonal peakload periods and any provision for hired labor during such peakload periods.

§ 341.26 *Certification by the applicant.* Part-time farmers applying for Operating loans will make the same certification as provided in § 341.6.

§ 341.27 *Certification by the County Committee.* The certification by the County Committee for part-time farmers applying for Operating loans and the information furnished the County Committee by the County Supervisor concerning such applicants will be the same as provided in § 341.7, except that the County Supervisor will also provide, and the County Committee will consider, specific information concerning the applicant's off-farm employment and the eligibility requirements prescribed in subparagraphs (2), (3), and (4) of § 341.25. This information concerning off-farm employment will include employment history, place of employment, extent of employment and when it will be performed, and amount of off-farm income anticipated.

§ 341.28 *Loan purposes.* Operating loans to part-time farmers may be made for the same purpose as prescribed in § 341.8.

§ 341.29 *Rates and terms.* The rates and terms for Operating loans to part-time farmers are the same as prescribed in § 341.9.

§ 341.30 *Security policies.* The security policies for Operating loans to part-time farmers are the same as prescribed in § 341.10.

§ 341.31 *Land tenure.* Tenure requirements for Operating loans to part-time farmers are the same as prescribed in § 341.11.

§ 341.32 *Loan limitations and requirements.* Loan limitations and requirements for Operating loans to part-time farmers are the same as prescribed in § 341.12. However, loans will not be made to finance the applicant's off-farm employment. This prohibits the making of Operating loans for such purposes as the purchase of equipment, construction or repair of buildings, or providing operating expenses in connection with the off-farm employment.

§ 341.33 *Loan approval.* State Directors are hereby authorized to approve loans to eligible part-time farmer applicants and to redelegate such authority in the same amounts and under the same conditions as prescribed in § 341.13. In addition, the loan approval official must determine that the applicant's proposed operations are financially sound, taking into consideration the anticipated gross income from farming and other sources. Ordinarily, farm income available for debt payment should be sufficient to meet the required payments on the loan. However, under some circumstances such as when major improvements are being made in the farming operations, and the income resulting from these improvements will be delayed, it may be necessary to look to the off-farm income for payment. In such cases it must be determined that the off-farm income will be available in sufficient amounts to meet the payments expected from this source at the proper time, and the applicant will cooperate in making the required payments from off-farm income.

§ 341.34 *Special authority to alter eligibility requirements.* If a State Director determines that the credit needs in an area designated under the Rural Development Program cannot be satisfactorily met under the eligibility requirements contained in this subpart, the Administrator may make exceptions to administrative eligibility requirements.

Dated: January 29, 1957.

[SEAL] K. H. HANSEN,
Administrator,
Farmers Home Administration.

[F. R. Doc. 57-790; Filed, Feb. 1, 1957; 8:47 a. m.]

Chapter IV—Commodity Stabilization Service and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Loans, Purchases, and Other Operations

[1956 CCC Peanut Bulletin 721 (Peanuts 56)-1, Amdt. 1]

PART 446—PEANUTS

SUBPART—1956 CROP PEANUT PRICE SUPPORT PROGRAM

MISCELLANEOUS AMENDMENTS

The regulations issued by Commodity Credit Corporation (hereinafter referred to as "CCC") with respect to the 1956 crop Peanut Price Support Program (21 F. R. 5982) are amended as provided herein. The period for making loans in the Virginia-Carolina producing area has been extended from January 31, 1957 to March 1, 1957. The 7 percent allowance for damaged kernels in No. 2 shelled peanuts eligible for sale to CCC is revised to include kernels having minor defects. CCC may purchase, at reduced prices, peanuts having percentages of kernels, which pass through the prescribed screen, in excess of the 6 percent tolerance in the U. S. grades for No. 2 peanuts.

The regulations in § 446.801 to 446.832, inclusive, are hereby amended as specified below:

1. Paragraph (b) of § 446.802 is amended to read as follows:

(b) *Time.* Loans will be made through January 31, 1957, except that in the Virginia-Carolina area loans will be made through March 1, 1957. All loans will mature on May 31, 1957, or such earlier date as may be specified by CCC: *Provided, however,* That CCC may extend the maturity date beyond May 31, 1957. All farm storage loan documents must be dated and delivered to the county office on or before January 31, 1957, except that in the Virginia-Carolina area all farm storage loan documents must be dated and delivered to the county office on or before March 1, 1957. Warehouse receipts for peanuts delivered to the association operating under an agreement with CCC must be dated not later than January 31, 1957, except that in the Virginia-Carolina area warehouse receipts must be dated not later than March 1, 1957. All warehouse receipts must have been issued within two business days after the peanuts were received in the warehouse.

2. Paragraph (a) of § 446.821 is amended to read as follows:

§ 446.821 *Eligibility requirements for No. 2 peanuts.* No. 2 peanuts of any type offered to CCC must:

(a) Meet the standards for U. S. No. 2 peanuts in the United States Standards for shelled peanuts of such type issued by the U. S. Department of Agriculture, Agricultural Marketing Service, effective July 31, 1956: *Provided, however,* That such peanuts shall contain 7 percent or less damaged kernels and kernels with minor defects, 9 percent or less moisture, 2 percent or less foreign material, and 10 percent or less sound peanuts and portions of peanuts which will pass through the screen prescribed for such type.

3. Paragraph (a) of § 446.828 is amended to read as follows:

§ 446.828 *Payment for No. 2 peanuts.* (a) The price per pound net weight of No. 2 peanuts purchased by CCC shall be as follows:

[Cents per pound]

No. 2 peanuts containing damage and kernels with minor defects of—	Percentage of sound peanuts and portions of peanuts which will pass through the prescribed screen				
	6 percent	7 percent	8 percent	9 percent	10 percent
1 percent	15.50	15.25	15.00	14.50	14.00
2 percent	15.25	15.00	14.75	14.25	13.75
3 percent	15.00	14.75	14.50	14.00	13.50
4 percent	14.50	14.25	14.00	13.50	13.00
5 percent	13.60	13.35	13.10	12.60	12.10
6 percent	12.50	12.25	12.00	11.50	11.00
7 percent	10.50	10.25	10.00	9.50	9.00

The terms "damage", "minor defects" and "prescribed screen" have the meanings assigned in the United States Standards for shelled peanuts of the type being purchased by CCC, issued by the U. S. Department of Agriculture, Agricultural Marketing Service, effective July 31, 1956.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 101, 401, 63 Stat. 1051, 1054; sec. 201, 68 Stat. 899; 15 U. S. C. 714c, 7 U. S. C. 1441, 1421)

Issued this 31st day of January 1957.

[SEAL] WALTER C. BERGER,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 57-827; Filed, Feb. 1, 1957; 8:51 a. m.]

TITLE 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

[Amdt. 1]

PART 5—DETERMINATION OF PARITY PRICES

CIGAR BINDER TOBACCO, CIGAR FILLER AND BINDER TOBACCO, AND PIMIENTOS

The regulations of the Secretary of Agriculture with respect to the determination of parity prices (21 F. R. 761) are amended as hereinafter specified in order to designate cigar filler and binder tobacco, types 42–44 and 53–55, and cigar binder tobacco, types 51–52, as separate commodities for the purpose of computing parity prices and to delete pimientos from the list of commodities for which parity prices are calculated.

1. The paragraph of § 5.2 headed "Basic Commodities" is amended to read as follows:

Extra long staple cotton and the following types of tobacco: Flue-cured, types 11–14; fired-cured, types 21–24; burley, type 31; dark air-cured, types 35–36; sun-cured, type 37; Pennsylvania seedleaf, type 41; cigar filler and binder, types 42–44 and 53–55; Puerto Rican filler, type 46 (price refers to year of harvest); and cigar binder, types 51–52.

2. The paragraph of § 5.2 headed "Vegetables for Processing" is amended by deleting "pimientos."

3. The paragraph of § 5.4 headed "Basic Commodities" is amended to read as follows:

Wheat; corn; American upland cotton; extra long staple cotton; rice; peanuts; [1] and the following types of tobacco: flue-cured, types 11–14; fire-cured, types 21–24; burley, type 31; Maryland, type 32; dark air-cured, types 35–36; sun-cured, type 37; Pennsylvania seedleaf, type 41; cigar filler and binder, types 42–44 and 53–55; Puerto Rican filler, type 46; and cigar binder, types 51–52.

4. The paragraph of § 5.4 headed "Vegetables for Processing" is amended by deleting pimientos."

(Sec. 301, 52 Stat. 38, as amended; 7 U. S. C. 1301)

Done at Washington, D. C., this 30th day of January 1957.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 57-810; Filed, Feb. 1, 1957; 8:50 a. m.]

Chapter III—Agricultural Research Service, Department of Agriculture

[P. P. C. 613, Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

SUBPART—EUROPEAN CHAFER

REVISION OF ADMINISTRATIVE INSTRUCTIONS DESIGNATING REGULATED AREAS UNDER EUROPEAN CHAFER QUARANTINE AND REGULATIONS

On December 5, 1956, there was published in the FEDERAL REGISTER (21 F. R. 9612), under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), a notice of rule making relating to a proposed revision of 7 CFR 301.77–2a. After due consideration of all relevant matters presented, and pursuant to § 301.77–2 of the regulations supplemental to the European chafer quarantine (7 CFR 301.77–2), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161, 162), 7 CFR 301.77–2a is hereby revised to read as follows:

§ 301.77–2a *Administrative instructions designating regulated areas under the European chafer quarantine and regulations.* Infestations of the European chafer have been determined to exist in the counties and other civil divisions, and parts thereof, listed below, or it has been determined that such infestation is likely to exist therein, or it is deemed necessary to regulate such civil divisions and parts thereof because of their proximity to infestation or their inseparability for quarantine purposes from infested localities. Accordingly, such counties and other civil divisions, and parts thereof, are hereby designated as European chafer regulated areas within the meaning of the provisions in this subpart:

CONNECTICUT

New Haven County. That area, comprising part of the town of Meriden, included within a circle having a 1-mile radius and center at the intersection of Wilber Cross Parkway (Connecticut Route 15) and U. S. Highway 5.

NEW YORK

Chemung County. That area, comprising part of the city of Elmira, bounded by a line beginning at the intersection of Bonview Street and Ogden Avenue, proceeding south on Ogden Avenue to Roe Avenue, thence east on Roe Avenue to Bridgman Street, thence south on Bridgman Street to Washington Avenue, thence west on Washington Avenue to Hoffman Street and continuing west of Hoffman Street approximately 2,400 feet, thence northerly approximately 2,300 feet, thence easterly approximately 1,600 feet and continuing east on Bonview Street to the point of beginning.

Erie County. That area, comprising part of the city of Buffalo, bounded by a line beginning at the intersection of Delaware Avenue and Humboldt Parkway, proceeding southeast on Humboldt Parkway to East Delavan Avenue, thence west on East and West Delavan Avenues to Delaware Avenue, and thence northerly on Delaware Avenue to the point of beginning.

Monroe County. The entire county.

Niagara County. That area, comprising part of the city of Niagara Falls, included within a circle having a ½-mile radius and center at the intersection of College and Highland Avenues.

Onondaga County. Towns of Cicero, Clay, De Witt, Geddes, and Salina, and the city of Syracuse.

Ontario County. Towns of Canandaigua, Farmington, Geneva, Gorham, Hopewell, Manchester, Phelps, Seneca, and Victor, and the cities of Canandaigua and Geneva.

Oswego County. Town of Minetto.

Seneca County. Towns of Junius and Tyre.

Wayne County. The entire county.

WEST VIRGINIA

Hampshire County. District of Bloomery and town of Capon Bridge.

These administrative instructions shall become effective February 2, 1957, when they shall supersede administrative instructions effective September 1, 1955.

This revision of administrative instructions adds to the regulated area in New York all previously unregulated parts of the city of Syracuse and the town of Salina, as well as the entire towns of Cicero, Clay, De Witt, and Geddes in Onondaga County and the town of Minetto in Oswego County.

These instructions should be made effective as soon as possible in order to be of maximum benefit in preventing the interstate spread of European chafers. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), good cause is found for making the instructions effective less than 30 days after publication in the FEDERAL REGISTER.

(Sec. 9, 37 Stat. 318; 7 U. S. C. 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

Done at Washington, D. C., this 29th day of January 1957.

[SEAL] E. D. BURGESS,
Chief,
Plant Pest Control Branch.

[F. R. Doc. 57-808; Filed, Feb. 1, 1957; 8:49 a. m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter H—Determination of Wage Rates

[Sugar Determination 867.9]

PART 867—WAGES; SUGARCANE: PUERTO RICO

1957 AND SUBSEQUENT CALENDAR YEARS

Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948, as amended (herein referred to as "act"), after investigation, and consideration of the evidence obtained at the public hearing held in San Juan, Puerto

Rico, on October 25 and 26, 1956, the following determination is hereby issued:

§ 867.9 *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in Puerto Rico during 1957 and subsequent calendar years*—(a) *Requirements.* A producer of sugarcane in Puerto Rico shall be deemed to have complied with the wage provisions of the act if all persons employed on the farm in the production, cultivation, or harvesting of sugarcane during 1957 and subsequent calendar years shall have been paid in accordance with the following:

(1) *Wage rates.* All such persons shall have been paid in full and in cash for all such work the wages required by existing legal obligations, whether such obligations resulted from an agreement (such as an agreement between the producer and worker by labor union agreement or otherwise) or were created by statute.

(2) *Compensable working time.* For work performed under subparagraph (1) of this paragraph, compensable working time includes all time which the worker spends in the performance of his duties except time taken out for meals during the work day. Compensable working time commences at the time the worker is required to start work in the field and ends upon completion of work in the field. However, if the producer requires the operator of mechanical equipment, driver of animals or any other class of worker to report to a place other than the field, such as an assembly point, stable, tractor shed, etc., located on the farm, the time spent in transit from such place to the field and from the field to such place is compensable working time. Any time spent in performing work directly related to the principal work performed by the worker such as servicing equipment, is compensable working time. Time of the worker while being transported from a central recruiting point or labor camp to the farm is not compensable working time.

(b) *Applicability.* The requirements of this section are applicable to all persons employed on the farm, except as provided in paragraph (c) of this section, in the production, cultivation, or harvesting of sugarcane grown on the farm for the extraction of sugar or liquid sugar: *Provided,* That such requirements shall not apply to any person engaged in such work with respect to sugarcane grown on acreage in excess of the proportionate share for the farm, which is marketed (or processed) for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed, if the producer furnishes to the Caribbean Area Agricultural Stabilization and Conservation Office, San Juan, Puerto Rico, (herein referred to as "Area Office") acceptable and adequate proof which satisfies the Area Office that the work performed was related solely to such sugarcane.

(c) *Workers not covered.* The requirements of this section are not applicable to workers performing services which are indirectly connected with the production, cultivation, or harvesting of sugarcane, including, but not limited to, carpenters, electricians, masons, mechanics, welders, and other maintenance and repairmen.

(d) *Subterfuge.* The producer shall not reduce the wage rates to workers below those determined herein through any subterfuge or device whatsoever.

(e) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this determination may file a wage claim with the Area Office against the producer on whose farm the work was performed. Detailed instructions and wage claim forms are available at that office. Such claim must be filed within two years from the date the work with respect to which the claim is made was performed. Upon receipt of a wage claim the Area Office shall thereupon notify the producer against whom the claim is made concerning the representation made by the worker. The Area Office shall arrange for such investigations as it deems necessary and, the producer and worker shall be notified in writing of its recommendation for settlement of the claim. If either party is not satisfied with the recommended settlement, an appeal may be made to the Director of the Sugar Division, Commodity Stabilization Service, U. S. Department of Agriculture, Washington 25, D. C. All such appeals shall be filed within 15 days after receipt of the recommended settlement from the Area Office, otherwise such recommended settlement will be applied in making payments under the act. If a claim is appealed to the Director of the Sugar Division, his decision shall be binding on all parties insofar as payments under the act are concerned.

(f) *Effective period.* The provisions of this section shall be effective as of January 1, 1957, and shall remain in effect until amended, superseded, or terminated.

Statement of bases and considerations—(a) *General.* The foregoing determination establishes fair and reasonable wage rates to be paid for work performed by persons employed on the farm in the production, cultivation, or harvesting of sugarcane in Puerto Rico during 1957 and subsequent calendar years, as one of the conditions with which producers must comply to be eligible for payments under the act.

(b) *Requirements of the act and standards employed.* Section 301 (c) (1) of the act requires that all persons employed on the farm in the production, cultivation, or harvesting of sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended (i. e., cost of living, prices of sugar and by-products, income from sugarcane, and cost of production), and the differences in conditions among various producing areas.

(c) *Wage determination.* This determination differs from the 1956 wage determination in that fair and reasonable wages for 1957 and subsequent calendar years are to be as agreed upon between the producer and the worker. Specific rates for each worker classification are not provided as in the prior determination. This determination also provides that workers who are not directly connected with the production, cultivation, or harvesting of sugarcane are excluded; that the fair wage provisions are not applicable with respect to sugarcane grown in excess of the proportionate share for the farm if such sugarcane is marketed or processed for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed; and that the determination will remain in effect until amended, superseded, or terminated, instead of being applicable to a specific calendar year.

A public hearing was held in San Juan, Puerto Rico, on October 25 and 26, 1956, at which interested persons were afforded the opportunity to testify with respect to fair and reasonable wage rates for the calendar year 1957. The representative of the Grower-Processor Committee recommended that the wage determination for the calendar year 1957 be the same as the 1956 determination, notwithstanding the action taken by the Legislature of Puerto Rico in establishing wage rates for sugarcane workers. Two producer representatives recommended that the definition for field flooders and irrigators be the same as set forth in the 1955 determination. Another producer representative recommended that the determination continue to provide for the use of piecework rates.

A representative of a local labor organization recommended that the Secretary refrain from determining any wages for the year 1957 or for subsequent years, and delegate his authority to fix such wages to the Legislature of Puerto Rico. A representative of another labor union recommended that the piecework provision be eliminated from the determination, that growers producing sugarcane yielding less than 500 tons of sugar pay the same wages as established by the Minimum Wage Act of Puerto Rico; that growers producing more than 500 tons of sugar pay wages that would yield a minimum of $1,400 per year; that arts and trades workers be included in the determination; and that a maximum 7-hour day be determined for the operations of digging and cleaning ditches, cleaning cane, spraying, and planting of cane with picks.

Consideration has been given to the recommendations made at the public hearing, to the returns, costs, and profits of sugarcane producers obtained by a survey conducted by the Department in a recent year and restated for the current year in terms of price and production conditions likely to prevail, to information obtained as a result of investigations and to other pertinent factors.

The Legislature of Puerto Rico enacted the "Minimum Wage Act of Puerto Rico" effective June 26, 1956, which regulates wages in all industries, including agriculture. The declared policies, among others, as stated in the law are to (1) step up the development of agriculture, industry and business in Puerto Rico, and (2) maintain the necessary flexibility in the fixing of minimum wages so as to insure for the workers the highest wage that economic conditions of the industry will permit. The law provides that the minimum wages fixed pursuant to such law shall be revised at least once every two years. Minimum rates for sugarcane workers which have been fixed by the Puerto Rican law are the same as those in the 1956 wage determination for most classifications of workers when the average price of raw sugar is less than $5.80 per hundredweight; when the average price of raw sugar is $5.80 or more per hundredweight the rates are approximately five percent higher for unskilled workers and from 14 to 18 percent higher for skilled workers. The law also establishes wage rates for other classifications of workers which were not covered by the 1956 wage determination.

The rates fixed by the Puerto Rican law are as high as or higher than those indicated for the calendar year 1957 by the application of the standards customarily considered in establishing fair and reasonable wages under the act. Accordingly, no specific rates have been established by this determination. However, to meet the requirements of the act the producer must have paid to the worker in full the wages required by existing legal obligations, regardless of whether such obligations resulted from an agreement (such as a labor union agreement) or were created by statute.

The provision excluding workers not directly connected with the production, cultivation, or harvesting operations, incorporates into the determination administrative interpretations heretofore applicable to wage determinations.

The wage requirements of this determination are not applicable to sugarcane grown in excess of the proportionate share for the farm, if it is established to the satisfaction of the Area Office that such sugarcane is marketed (or processed) for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed. During the last two or three years quantities of nonquota sugar have been imported into the United States for use as livestock feed. This sugar has been marketed at price levels substantially below the price levels which prevailed for quota sugar. The use of sugar for livestock feed is a further development to find alternative uses for sugar. Section 212 of the act specifies that the quota provisions of Title II are not applicable to sugar imported or produced in the United States for this purpose.

In view of the acreage restrictions in effect for domestic sugar-producing areas in recent years, some domestic producers appeared to be interested in the production of sugar for livestock feed or for the production of livestock feed so as to cushion the impact of restrictions whenever it became necessary to reduce production and to allow domestic areas to participate in the market for livestock feed with foreign areas. Recently, section 301 (b) of the Sugar Act of 1948 was amended to permit producers to market (or process) sugarcane in excess of the proportionate share for the farm for the production of sugar or liquid sugar for livestock feed or for the production of livestock feed. However, sugar produced from sugarcane in excess of the proportionate share for the farm is not eligible for payments under the act. Prior to this amendment, the wage requirements were applicable to all sugarcane grown on the farm and marketed (or processed) for the extraction of sugar or liquid sugar in order to qualify for such payment.

Inasmuch as the Minimum Wage Act of Puerto Rico is on a continuing basis, this determination is issued effective January 1, 1957, to remain in effect until amended, superseded, or terminated. However, the Department will periodically survey, analyze conditions, and hold hearings as may be necessary to insure that workers continue to receive the protection afforded by the wage provisions of the act.

Accordingly, I hereby find and conclude that the foregoing wage determination will effectuate the wage provisions of the Sugar Act of 1948, as amended.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies Sec. 301, 61 Stat. 929; 7 U. S. C. 1131)

Issued this 29th day of January 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 57-788; Filed, Feb. 1, 1957; 8:46 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 104]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.404 *Navel Orange Regulation 104*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914; 21 F. R. 4707), regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on January 31, 1957, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) The quantity of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at at 12:01 a. m., P. s. t., February 3, 1957, and ending at 12:01 a. m., P. s. t., February 10, 1957, is hereby fixed as follows:

(i) District 1: 554,400 cartons;
(ii) District 2: 277,200 cartons;
(iii) District 3: Unlimited movement;
(iv) District 4: Unlimited movement.

(2) All navel oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: February 1, 1957.

[SEAL] G. R. GRANGE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-860; Filed, Feb. 1, 1957; 11:19 a. m.]

[Grapefruit Reg. 257]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.827 *Grapefruit Regulation 257*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 29, 1957; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this regulation, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all grapefruit, and compliance with this regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this chapter); and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (chapters 25149 and 28090) and also by section 601.18, as amended June 2, 1955 (chapter 29760).

(2) During the period beginning at 12:01 a. m., e. s. t., February 4, 1957, and ending at 12:01 a. m., e. s. t., February 18, 1957, no handler shall ship:

(i) Any seeded grapefruit, grown in the State of Florida, which are not mature and do not grade at least U. S. No. 1 Bronze;

(ii) Any seeded grapefruit, grown in the State of Florida, which are of a size smaller than $3^{15}/_{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this chapter).

(iii) Any seedless grapefruit, grown in Regulation Area I, which are not mature and do not grade at least U. S. No. 1 Bronze;

(iv) Any seedless grapefruit, grown in Regulation Area II, which are not mature and do not grade at least U. S. No. 1 Bronze: *Provided,* That not to exceed 40 percent, by count, of such grapefruit may be damaged, but not seriously damaged, by scars; or

(v) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than $3^{9}/_{16}$ inches in diameter, measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in the revised United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this chapter).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: January 30, 1957.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-805; Filed, Feb. 1, 1957; 8:49 a. m.]

[Tangerine Reg. 185]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.828 *Tangerine Regulation 185*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of Florida tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on January 29, 1957, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this regulation, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines, and compliance with this regulation will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agree-

ment and order; and terms relating to grade and standard pack, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this chapter).

(2) During the period beginning at 12:01 a. m., e. s. t., February 4, 1957, and ending at 12:01 a. m., e. s. t., February 18, 1957 no handler shall ship:

(i) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 1; or

(ii) Any tangerines, grown in the State of Florida, that are of a size smaller than $2^{2}/_{16}$ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of tangerines smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this chapter).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: January 30, 1957.

[SEAL] FLOYD F. HEDLUND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 57-806; Filed, Feb. 1, 1957; 8:49 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 11374]

PART 7—STATIONS ON LAND IN THE MARITIME SERVICES

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICES

In the matter of amendment of Parts 7 and 8 of the Commission's rules and to delete the frequencies 6240 kc and 6455 kc and to make the frequency 4372.4 kc available on a full-time basis for ship and coast stations using radio-telephony on the Mississippi River and connecting inland waterways (except the Great Lakes).

The Commission's order in the above-entitled docket released January 18, 1957 (FCC 57-68, 21 F. R. 498), is corrected by deleting "by the continued use of these frequencies" from paragraph (e), so that paragraph (e) reads as follows:

(e) whether the utility of a maritime mobile band would be seriously impaired by an accumulation of this and other multiple low power out of band operations, both domestic and international; and

Released: January 24, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-793; Filed, Feb. 1, 1957; 8:47 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

RAILROAD ANNUAL REPORT FORM C

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 17th day of January A. D. 1957.

The matter of annual reports of line-haul and switching and terminal railroad companies of class II being under further consideration, and the changes to be effectuated by this order being minor changes in the data to be furnished resulting principally from changes in the classification of railroads and from revision in the numbering of accounts in the Commission's Uniform System of Accounts for railroad companies, rule-making procedures under section 4 (a) of the Administrative Procedure Act, 5 U. S. C. 1003 (a) being deemed unnecessary:

It is ordered, That the order of February 4, 1955, in the matter Steam Railway Annual Report Form C, be, and is hereby modified and amended with respect to annual reports for the year ended December 31, 1956, and subsequent years, to read as shown below:

It is further ordered, That 49 CFR 120.12, be, and it is hereby modified and amended to read as follows:

§ 120.12 *Form prescribed for class II railroads.* Commencing with the year ended December 31, 1956, and for subsequent years thereafter, until further order, all line-haul and switching and terminal railroad companies of class II subject to the provisions of section 20, part I of the Interstate Commerce Act, are required to file annual reports in accordance with Railroad Annual Report Form C,[1] which is made a part of this section. Such annual report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31, of the year following the year to which it relates.

And it is further ordered, That copies of this order and of Annual Report Form C shall be served on all line-haul and switching and terminal railroad companies of class II, subject to the provisions of section 20, part I, of the Interstate Commerce Act, and upon every receiver, trustee, executor, administrator or assignee of any such railroad, and that notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended, sec. 201, 54 Stat. 933; 49 U. S. C. 12, 904. Interprets or applies sec. 20, 24 Stat. 386, as amended, 54 Stat. 944; 49 U. S. C. 20, 913)

By the Commission, Division 2.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 57-792; Filed, Feb. 1, 1957; 8:47 a. m.]

[1] Filed as part of original document.

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amendment 184]

PART 608—RESTRICTED AREAS

RESTRICTED AREA ALTERATIONS

The restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Panel, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedure and effective date, provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.20, the Sailor Creek, Idaho, area (R-254 formerly D-254), published on July 16, 1949, in 14 F. R. 4290, is amended by changing the "Controlling Agency" column to read: "Mountain Home Air Force Base, Idaho."

2. In § 608.45, the Boardman, Oregon, area (R-251), amended on November 2, 1955, in 20 F. R. 8211, is further amended by changing the "Time of Designation" column to read: "Continuous."

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on February 7, 1957.

[SEAL] JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57-779; Filed, Feb. 1, 1957; 8:45 a. m.]

[Amdt. 233]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

NOTE: Where the general classification (LFR, VAR, ADF, ILS, RADAR, or VOR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

1. The low frequency range procedures prescribed in § 609.6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Boston, Mass.; Logan Airport, elevation 19'; facility SBRAZ, identification BOS; Procedure No. 1, Amendment No. 6, effective date, Feb. 23, 1957; supersedes Amendment No. 5, dated July 8, 1954

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
Peabody FM (final)	BOS-LFR	Direct	800	T-dn%	300-1	300-1	200-½	#1,000' per minimum required, but runway is 10,012' long.
				C-dn	*500-1	600-1	600-1½	*600-1 required when circling W of airport.
				S-dn 22L#	400-1	600-1	600-1½	Procedure turn W side of course, 031° outbound, 211° inbound, 1,500' within 10 miles.
				A-dn	800-2	800-2	800-2	Minimum altitude over facility on final approach course, 800'.
								Course and distance, facility to airport, 234—1.0.
								If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 1 mile, make a climbing left turn to 1,500' on E course of Boston LFR, or (when directed by ATC) climb to 1,800' on SW course of Boston LFR within 10 miles.
								NOTE: Procedure turn does not provide standard clearance over 599' tower 5.2 miles WNW of Boston LFR. 600' circling minimums do not provide standard clearance over 370' stack 1.2 miles SW of airport. 1,349' WBZ-TV tower to 10.5 miles WSW of airport.
								%Except where radar vectoring is used, and when weather is 1,000-3 or below, departures from runway 27 make left or right turn as soon as practicable, and departures from runways 22 and 33 climb straight ahead to at least 1,000' prior to proceeding toward 1,349' WBZ-TV tower.
								Major changes: Departure restriction added.
New York, N. Y.; International Airport, elevation 12' facility SMRA, identification IDL; Procedure No. 1, Amendment No. 8, effective date, Feb. 23, 1957; supersedes Amendment No. 7, dated Dec. 8, 1956								
Scotland MHW or Intersection.	IDL-LFR (final)	042—10.4	700	T-dn	300-1	300-1	200-½	Procedure turn E side SW course, 222° outbound, 042° inbound, 1,200' within 10 miles.
				C-dn	400-1	500-1	500-1½	Minimum altitude over facility on final approach course, 700'.
				S-dn-4	400-1	400-1	400-1	Course and distance, facility to airport, 040—2.5.
				A-dn	800-2	800-2	800-2	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.5 miles, climb to at least 500' on NE course, make a climbing right turn to 1,500' on 130° intersecting SW course of the Mitchel LFR and proceed to the Long Beach Intersection. Contact IDL approach control for further instructions.
								CAUTION: Circling and straight-in landing minimums do not provide standard obstruction clearance over airport control tower and stack 278' 1.7 miles SSE of runway 1R.
								Major changes: Missed approach revised.
San Angelo, Tex.; Mathis Airport, elevation 1,915'; facility BMRLZ, identification SJT; Procedure No. 1, Amendment No. 7, effective date, Feb. 23, 1957; supersedes Amendment No. 6, dated June 9, 1956								
San Angelo VOR	SJT-LFR	Direct	3,000	T-dn	300-1	300-1	200-½	Procedure turn N side E course, 060° outbound, 240° inbound, 3,200' within 10 miles. Beyond 10 miles not authorized.
				C-dn	400-1	500-1	500-1½	Minimum Altitude over facility on final approach course, 2,500'.
				S-dn-21-27	400-1	400-1	400-1	Course and distance, facility to airport, 240—5.6.
				A-dn	800-2	800-2	800-2	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 5.6 miles, climb to 3,600' on W course of LFR within 20 miles.
								NOTE: Not approved for ADF approach.

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.9 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Albuquerque, N. Mex.; Kirtland AFB-MUN, elevation 5,352'; facility BVOR, identification ABQ; Procedure No. 1, Amendment No. 3, effective date, Feb. 23, 1957; supersedes Amendment No. 2, dated May 27, 1954

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
ABQ LFR	ABQ-VOR	Direct	8,000	T-dn C-d C-n S-d-8 S-n-8 A-dn	300-1 500-1½ 500-2 500-1 500-2 800-2	300-1 500-1½ 500-2 500-1 500-2 800-2	200-½ 500-1½ 500-2 500-1 500-2 800-2	Procedure turn N side of course, 258° outbound, 078° inbound, 8,000' within 10 miles (nonstandard due to danger area). Minimum altitude over facility on final approach course, 6,700'. Course and distance, facility to airport, 078—8.9. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 8.9 miles, turn right and climb to 10,000' on R-256 within 20 miles. CAUTION: Landing minimums do not provide standard clearance over 6,000', tower 1 mile NE of airport.

Midland, Tex.; Air Terminal Airport, elevation 2,867'; facility BVOR, identification MAF; Procedure No. 1, Amendment No. 5, effective date, Feb. 23, 1957; supersedes Amendment No. 4, dated June 16, 1956

Midland LFR	MAF-VOR	Direct	4,200	T-dn C-dn S-dn-16R A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	*200-½ 500-1½ 400-1 800-2	Procedure turn E side of course, 360° outbound, 180° inbound, 4,000' within 10 miles. Beyond 10 miles not authorized. Minimum altitude over facility on final approach course, 3,500'. Course and distance, facility to airport, 180—3.6. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 3.6 miles, climb to 4,000' on R-150 within 20 miles.

*300-1 required on runway 16L and 34R.

San Angelo, Tex.; Mathis Airport, elevation 1,915'; facility BVOR, identification SJT; Procedure No. 1, Amendment No. 4, effective date, Feb. 23, 1957; supersedes Amendment No. 3, dated June 9, 1956

San Angelo LFR	SJT-VOR	Direct	3,000	T-dn C-dn S-dn-21 A-dn	300-1 400-1 400-1 800-2	300-1 500-1 400-1 800-2	200-½ 500-1½ 400-1 800-2	Procedure turn N side of course, 061° outbound, 241° inbound, 3,400' within 10 miles. Beyond 10 miles not authorized. Minimum altitude over facility on final approach course, 2,500'. Course and distance, facility to airport, 234—1.8. If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 1.8 miles, climb to 3,600' on R-234 within 20 miles. Major changes: Limits procedure turn distance. Raises missed approach altitude.

4. The terminal very high frequency omnirange (TVOR) procedures prescribed in § 609.9 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Boston, Mass.; Logan Airport, elevation 19'; facility BVOR, identification BOS; Procedure No. TerVOR-4R, Amendment No. 2, effective date, Feb. 23, 1957; supersedes Amendment No. 1, dated Aug. 6, 1954

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
Bedford HW	BOS-VOR	Direct	1,700	T-dn%	300-1	300-1	200-½	All fixes may be determined and supplemented by surveillance radar.
Boston LFR	BOS-VOR	Direct	1,500	C-dn	700-1	700-1	700-1½	% Except where radar vectoring is used, and when weather is 1000-3 or below, departures from runway 27 make left or right turn as soon as practicable, and departures from runways 22 and 33 climb straight ahead to at least 1,000' prior to proceeding toward 1,349' WBZ-TV tower.
Squantum LFR	BOS-VOR	Direct	1,500	S-dn-4	700-1	700-1	700-1	
Radar terminal area transition altitudes:				A-dn	800-2	800-2	800-2	
All directions		Within 25 miles	1,800					Procedure turn E side of course, 237° outbound, 057° inbound, 1,800' within 10 miles of Dorchester Intersection.
Between SW and NW courses of BOS LFR.		6-25 miles	2,300					Minimum altitude over Dorchester Intersection on final approach 1,300'; over BOS-VOR 700'.
								Course and distance, breakoff point to approach end runway 4R, 035—0.87.
								Dorchester Intersection: Intersection R-237 BOS and NW course Squantum LFR.
								If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 0 mile of BOS-VOR, climb to 1,300' on R-029 within 10 miles, or when requested by ATC, climb to 1,500' on R-100 within 10 miles.
								CAUTION: 1,349' TV tower 10.5 miles WSW of airport.

Boston, Mass.; Logan Airport, elevation 19'; facility BVOR, identification BOS; Procedure No. TerVOR-22L, Amendment No. 2, effective date, Feb. 23, 1957; supersedes Amendment No. 1, dated Aug. 6, 1954

Bedford HW	BOS-VOR	Direct	1,700	T-dn%	300-1	300-1	200-½	All fixes may be determined and supplemented by surveillance radar.
Boston LFR	BOS-VOR	Direct	1,500	C-dn	700-1	700-1	700-1½	%Except where radar vectoring is used, and when weather is 1,000-3 or below, departures from runway 27 make left or right turn as soon as practicable, and departures from runway 22 and 33 climb straight ahead to at least 1,000' prior to proceeding toward 1,349' WBZ-TV tower.
Squantum LFR	BOS-VOR	Direct	1,500	S-dn-22L	700-1	700-1	700-1	
Radar terminal area transition altitudes:				A-dn	800-2	800-2	800-2	
All directions		Within 25 miles	1,800					Procedure turn W side of course, 016° outboard, 196° inboard, 1,700' within 10 miles.
Between SW and NW courses of BOS LFR.		6-25 miles	2,300					Minimum altitude over facility on final approach course, 700'.
								Course and distance, breakoff point to approach end runway 22L, 215—0.87.
								If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 0 mile, climb to 1,800' on R-215 within 10 miles, or when directed by ATC, climb to 1,500' on R-100 within 10 miles.
								CAUTION: 1,349' TV tower 10.5 miles WSW of airport.

Boston, Mass.; Logan Airport, elevation 19'; facility BVOR, identification BOS; Procedure No. TerVOR-27, Amendment No. 2, effective date, Feb. 23, 1957; supersedes Amentment No. 1, dated Aug. 6, 1954

Bedford HW	BOS-LFR	Direct	1,700	T-dn%	300-1	300-1	200-½	All fixes may be determined and supplemented by surveillance radar.
Boston FLR	BOS-VOR	Direct	1,500	C-dn	600-1	600-1	600-1½	%Except where radar vectoring is used, and when weather is 1,000-3 or below, departures from runway 27 make left or right turn as soon as practicable, and departures from runways 22 and 33 climb straight ahead to at least 1,000' prior to proceeding toward 1,349' WBZ-TV tower.
Squantum LFR	BOS-VOR	Direct	1,500	S-dn-27	600-1	600-1	600-1	
Radar terminal area transition altitudes:				A-dn	800-2	800-2	800-2	
All directions		Within 25 miles	1,800					Procedure turn N side of course, 086° outbound, 266° inbound, 1,300' within 10 miles.
Between SW and NW courses of BOS LFR.		6-25 miles	2,300					Minimum altitude over facility on final approach course, 600'.
								Course and distance, breakoff point to approach end runway 27, 272—0.52.
								If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 0 mile, make a left climbing turn to 1,800' on R-215 within 10 miles, or when directed by ATC, climb to 1,500' on R-100 within 10 miles.
								CAUTION: 1,349' TV tower 10.5 miles WSW of airport. 600' circling minimums do not provide standard clearance over 370' stack SW of airport.

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Boston, Mass.; Logan Airport, elevation 19'; facility BVOR, identification BOS; Procedure No. TerVOR-33, Amendment No. 2, effective date, Feb. 23, 1957; supersedes Amendment No. 1, dated Aug. 6, 1954

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
Bedford HW	BOS-VOR	Direct	1,700	T-dn%	300-1	300-1	200-½	All fixes may be determined and supplemented by surveillance radar.
Boston LFR	BOS-VOR	Direct	1,500	C-dn	#500-1	600-1	600-1½	%Except where radar vectoring is used, and when weather is 1,000-3 or below, departures from runway 27 make left or right turn as soon as practicable, and departures from runways 22 and 33 climb straight ahead to at least 1,000' prior to proceeding toward 1,349' WBZ-TV tower.
Squantum LFR	BOS-VOR	Direct	1,500	S-dn-33	500-1	500-1	500-1	Procedure turn E side of course, 159° outbound, 339° inbound, 1,500' within 10 miles of Hull Intersection.
Intersection R-159 BOS and SE course SQT LFR.	Hull Intersection (final)	Direct	1,000	A-dn	800-2	800-2	800-2	Minimum altitude over Hull Intersection on final approach 1,000'; over BOS-VOR 500'.
Radar terminal area transition altitudes:								Course and distance, breakoff point to approach end runway 33, 330—0.32.
All directions		Within 25 miles	1,800					Hull Intersection: Intersection R-159 BOS and NE course Squantum LFR.
Between SW and NW courses of BOS LFR.		6-25 miles	2,300					If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 0 mile of BOS-VOR, make a left climbing turn to 1,800' on R-215 within 10 miles, or when directed by ATC, climb to 1,300' on R-029 within 10 miles.
								CAUTION: 1,349' TV tower 10.5 miles WSW of airport. 600' circling minimums do not provide standard clearance over 370' stack SW of airport.
								#600-1 required when circling W of airport.

New York, N. Y.; International Airport, elevation 12'; facility VOR, identification IDL; Procedure No. TerVOR-1, Amendment No. 3, effective date, Feb. 23, 1957; supersedes Amendment No. 2, dated Dec. 8, 1956

Idlewild LFR	IDL-VOR	Direct	1,500	T-dn	300-1	300-1	200-½	Terminal area radar transition altitudes: All directions 2,500' within 25 miles, E of the NE-SW course of the LaGuardia LFR, 1,500' within 15 miles.
LaGuardia LFR	IDL-VOR	Direct	1,500	C-dn	600-1	600-1	600-1½	Procedure turn E side of course, 185° outbound, 005° inbound, 1,300' within 10 miles of Edgemere Intersection.
New Rochelle Radiobeacon	IDL-VOR	Direct	1,500	S-dn-1	600-1	600-1	600-1	Minimum altitude over facility on final approach course, 1,300' over Edgemere Intersection. 600' over VOR.
Glen Cove Radiobeacon	IDL-VOR	Direct	1,500	A-dn	800-2	800-2	800-2	Course and distance, breakoff point to approach end runway 1, 013—1.1.
Mitchel LFR	IDL-VOR	Direct	1,500					If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 0 mile, make a right climbing turn to 1,500' on 130° intersecting the SW course Mitchel LFR and proceed to the Long Beach Intersection. Contact Idlewild approach control for further instructions.
Paterson Radiobeacon	IDL-VOR	Direct	2,500					Major changes: Missed approach revised.
Scotland MH	Edgemere Intersection	Direct	1,300					

New York, N. Y.; International Airport, elevation 12'; facility VOR, identification IDL; Procedure No. TerVOR-4, Amendment No. 3, effective date, Feb. 23, 1957; supersedes Amendment No. 2, dated Dec. 8, 1956

Idlewild LFR	IDL-VOR	Direct	1,500	T-dn	300-1	300-1	200-½	Terminal area radar transition altitudes: All directions 2,500' within 25 miles, E of the NE-SW course of the LaGuardia LFR, 1,500' within 15 miles.
LaGuardia LFR	IDL-VOR	Direct	1,500	C-dn	600-1	600-1	600-1½	Procedure turn E side of course, 210° outbound, 060° inbound, 1,300' within 10 miles.
New Rochelle MHW	IDL-VOR	Direct	1,500	S-dn-4	600-1	600-1	600-1	Minimum altitude over facility on final approach course, 600'.
Glen Cove MHW	IDL-VOR	Direct	1,500	A-dn	800-2	800-2	800-2	Course and distance, breakoff point to approach end runway 4, 013—0.6.
Mitchel LFR	IDL-VOR	Direct	1,500					If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 0 mile, make a right climbing turn to 1,500' on 130° intersecting the SW course Mitchel LFR and proceed to the Long Beach Intersection. Contact Idlewild approach control for further instructions.
Paterson MHW	IDL-VOR	Direct	2,500					CAUTION: Straight-in landing minimums do not provide standard clearance over 278' stack 1.7 miles SSE of airport.
Scotland MHW	IDL-VOR	Direct	1,500					Major changes: Missed approach revised.

5. The instrument landing system procedures prescribed in § 609.11 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Albany, N. Y.; Albany Airport, elevation 288'; facility ILS, identification IALB; Procedure No. 2, Amendment Original, effective date, Feb. 23, 1957

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
Coxsackie FM	Delmar FM (final)	Direct	1,700	T-dn	300-1	300-1	200-½	Procedure turn E side S course, 191° outbound, 011° inbound, 2,200' within 10 miles of Delmar FM.
Albany LFR	Delmar FM	Direct	2,200	C-dn	500-1	600-1	600-1½	No glide slope. Minimum altitude over Delmar FM on final approach 1,700'.
Albany VOR	Delmar FM	Direct	2,200	S-dn-1	400-1	400-1	400-1	Course and distance to runway 1,011—4.7.
				A-dn	800-2	800-2	800-2	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.7 miles of Delmar FM, climb to 3,000' on N course ILS within 20 miles, or when directed by ATC, climb to 3,000' on W course Albany LFR within 20 miles.
								AIR CARRIER NOTE: 300-1 required for all takeoffs on runways 10, 28, 15 and 33.

Boston, Mass.; Logan Airport, elevation 19'; facility ILS-IBOS, identification LOM-BO; Procedure No. 1, Amendment No. 7, Combination ILS-ADF; effective date, Feb. 23, 1957; supersedes Amendment No. 6, dated Aug. 4, 1956

Boston LFR	LOM	Direct	1,800	T-dn%	300-1	300-1	200-½	**Final authorized after interception of final approach course inbound.
East Boston Intersection	LOM	Direct	1,500	C-dn ILS	*500-1	600-1	600-1½	#400-3/4 required with glide slope inoperative.
Franklin Intersection	ILS SW course or bearing 035° to LOM.**	085—12.4	1,800	ADF	600-1	600-1	600-1½	*600-1 required when circling W of airport.
Bedford MHW	LOM	Direct	2,300	S-dn ILS 4R	#200-½	#200-½	#200-½	@Except 2,300' when more than 6 miles from airport between SW and NW courses of BOS LFR.
Radar terminal area transitions.	Radar site	Within 25 miles	@1,800	ADF 4L-R	600-1	600-1	600-1	%Except where radar vectoring is used, and when weather is 1,000-3 or below, departures from runway 27 make left or right turn as soon as practicable, and departures from runways 22 and 33 climb straight ahead to at least 1,000' prior to proceeding toward 1,349' WBZ-TV tower.
				A-dn ILS	600-2	600-2	600-2	Procedure turn E side S course, 215° outbound, 035° inbound, 1,800' within 10 miles.
				ADF	800-2	800-2	800-2	Minimum altitude at glide slope intersection, inbound, 1,800' ILS. Minimum altitude over LOM inbound final—1,300' ADF.
								Altitude of glide slope and distance to approach end of runway at OM, 1,775—5.6 to point of touchdown; at MM, 270—0.8 to point of touchdown.
								CAUTION: ILS point of touchdown approximately 3,500' in from approach end of runway pavement to allow clearance of ship channel. ADF straight-in and all circling minimums do not provide standard clearance over 370' stack SW of airport. 1,349' TV tower 10.5 miles WSW of airport.
								If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 5.6 miles after passing LOM (ADF), climb to 1,300' on NE course ILS or course 035° from LOM within 15 miles or (when directed by ATC) make a climbing right turn to 1,500' on E course Boston LFR.
								All fixes may be determined and supplemented by surveillance radar.

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Boston, Mass.; Logan Airport, elevation 19'; facility ILS, identification IBOS; Procedure No.2, Amendment No. 5, effective date, Feb. 23, 1957; supersedes Amendment No. 4, dated Mar. 24, 1956

Transition				Ceiling and visibility minimums				Notes
					2-engine or less		More than 2-engine, more than 65 knots	
From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots		
Peabody Intersection	5.0 surveillance fix@	Direct	1,300	T-dn%	300-1	300-1	200-½	@ or E course Bedford ILS.
Peabody Intersection	5.0 surveillance fix (final)@	Direct	800	C-dn*	500-1	600-1	600-1½	**Except 2,300' when more than 6 miles from airport between SW and NW courses of BOS LFR.
Radar terminal area transitions.	Radar site	Within 25 miles	**1,800	S-dn-22L	#400-1	#400-1	#400-1	All fixes may be determined and supplemented by surveillance radar.
				A-dn	800-2	800-2	800-2	*600-1 required when circling W of airport.
								#Maintain 500' until after passing the Boston LFR.
								%Except where radar vectoring is used, and when weather is 1,000-3 or below, departures from runway 27 make left or right turn as soon as practicable, and departures from runways 22 and 33 climb straight ahead to at least 1,000' prior to turning toward 1,349' WBZ-TV tower.
								Procedure turn W side N course 035° outbound, 215° inbound, 1,500' within 15 miles of Boston LFR.
								No glide slope or markers. 800' over 5 miles surveillance fix or E course BED ILS. Distance to runway 22L, 3.9 miles.
								If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, within 5 miles after passing surveillance fix, climb to 1,800' on SW course Boston ILS within 10 miles of the airport.
								CAUTION: Circling minimums do not provide standard clearance over 370' stack SW of airport. 1,349' TV tower 10.5 miles WSW of airport.
New York, N. Y.; International Airport, elevation 12'; facility ILS, identification IDL; Procedure No. 1, Amendment No. 11, effective date, Feb. 23, 1957; supersedes Amendment No. 10, dated Dec. 8, 1956. OM continuous dashes (OM at IDL LFR site).								
Scotland Intersection	OM (final)	Direct	1,000	T-dn	300-1	300-1	200-½	Procedure turn S side SW course ILS, 223° outbound, 043° inbound, 1,200' within 10 miles of OM.
Colts Neck VOR via R-063	ILS SW course	Direct	1,400	C-dn	400-1	500-1	500-1½	Minimum altitude at glide slope intersection inbound, 1,000'.
Radar terminal area transitions.	All directions	Within 25 miles	2,500	S-dn-4	200-½	200-½	200-½	Altitude of glide slope and distance to approach end of runway at OM, 770—2.4; at MM, 230—.5.
				A-dn	600-2	600-2	600-2	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 500' on NE course ILS, make a climbing right turn to 1,500' on 130°, intersecting SW course Mitchel LFR and proceed to the Long Beach intersection. Contact Idlewild approach control for further instructions.
	E of NE-SW course of LGA-LFR.	15 miles	1,500					CAUTION: Circling landing minimums do not provide standard clearance over airport control tower and stack 278' 1.7 miles SSE runway 1R.

6. The radar procedures prescribed in § 609.13 are amended to read in part:

RADAR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If a radar instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below. Positive identification must be established with the radar controller. From initial contact with radar to final authorized landing minimums, the instructions of the radar controller are mandatory except when (A) visual contact is established on final approach at or before descent to the authorized landing minimums, or (B) at pilot's discretion if it appears desirable to discontinue the approach. Except when the radar controller may direct otherwise prior to final approach, a missed approach shall be executed as provided below when (A) communication on final approach is lost for more than 5 seconds during a precision approach, or for more than 30 seconds during a surveillance approach; (B) directed by radar controller; (C) visual contact is not established upon descent to authorized landing minimums; or (D) if landing is not accomplished.

Boston, Mass.; Logan Airport, elevation 19'; facility and identification, Logan Radar; Procedure No. 1, Amendment No. 6, effective date, Feb. 23, 1957; supersedes Amendment No. 5, dated Feb. 9, 1957

Transition				Ceiling and visibility minimums				Notes
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots	
					65 knots or less	More than 65 knots		
				Precision approach				
All directions	Radar site	Within 25 miles	###1,800	C-dn 4R	*500-1	600-1	600-1½	###Except 2,300' when more than 6 miles from airport between NW and SW course Boston LFR.
				S-dn 4R	200-½	200-½	200-½	#CAUTION: Standard clearance not provided over 370' stack SW of airport. 1,349' TV tower, 10.5 miles WSW of airport.
				A-dn 4R	600-2	600-2	600-2	*600-1 required when circling W of airport.
				Surveillance approach				**4L, 4R, 15. ***22L, 22R. ##27, 33.
				T-dn%-all	300-1	300-1	200-½	%Except where radar vectoring is used, and weather is 1,000-3 or below, departures from runway 27 make left or right turn as soon as practicable, and departures from runways 22 and 33 climb straight ahead to at least 1,000' prior to proceeding toward 1,340' WBZ-TV tower.
				S or Cdn**	700-1	700-1	700-1½	
				C-dn***#	600-1	600-1	600-1½	
				S-dn***#	600-1	600-1	600-1	
				C-dn##	*500-1	600-1	600-1½	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 1,300' on the N course of the Boston LFR within 8 miles. Alternate missed approach when requested by ATC: climb to 1,500' on E course of the Boston LFR within 10 miles.
				S-dn##	500-1	500-1	500-1	
				A-dn-all	800-2	800-2	800-2	

New York, N. Y.; International Airport, elevation 12'; facility and identification, Idlewild Radar; Procedure No. 1, Amendment No. 7, effective date, Feb. 23, 1957; supersedes Amendment No. 6, dated Dec. 8, 1956

				Precision approach				
All directions	Radar site	Within 25 miles	2,500	T-dn	300-1	300-1	200-½	If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 500' on heading of 043°, make a climbing right turn to 1,500' on 130° intersecting SW course Mitchel LFR and proceed to the Long Beach Intersection. Contact Idlewild approach control for further instructions.
E of NE-SW course of LGA-LFR.	Radar site	Within 15 miles	1,500	C-dn	400-1	500-1	500-1½	
				S-dn-4	200-½	200-½	200-½	
				A-dn	600-2	600-2	600-2	CAUTION: Ceiling minimums do not provide standard clearance over 278' stack 1.7 miles SSE of runway 4R and 165' airport control tower.

These procedures shall become effective on the dates indicated on the procedures.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]

JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57-512; Filed, Feb. 1, 1957; 8:45 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 973]

[Docket No. AO–178–A9]

MILK IN THE MINNEAPOLIS-ST. PAUL, MINN., MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO THE TENTATIVE MARKETING AGREEMENT AND TO THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be conducted at the North American Life and Casualty Building, 1750 Hennepin Avenue, Minneapolis 3, Minnesota, beginning at 10:00 a. m., c. s. t., on February 6, 1957, for the purpose of receiving evidence with respect to the proposed amendments set forth below, or appropriate modifications thereof, to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Minneapolis-St. Paul, Minnesota, marketing area (7 CFR Part 973) and with respect to economic conditions which relate thereto. These proposed amendments have not been approved by the Secretary of Agriculture.

Proposed by the Twin City Milk Producers Association:

Proposal No. 1: Revise § 973.5 to read as follows:

"Handler" means (a) any person in his capacity as the operator of a pool plant; (b) any person in his capacity as the operator of a plant which receives its supply of milk from pool plants and at which milk is processed or packaged and disposed of as Class I within the marketing area; (c) any person in his capacity as the operator of a non-pool plant from which Class I milk is disposed of in the marketing area on routes. This definition shall not apply to a governmentally owned and operated institution which disposes of Class I milk solely for its own premises or to its own facilities.

Proposal No. 2: Revise § 973.7 to read as follows:

"Producer" means any person, other than a producer-handler, who, in conformity with the requirements of appropriate Health Authority, produces milk which is received as Grade A milk at an approved pool plant from the farm of such producer, or which is caused by a handler to be diverted to a non-pool plant as Class I as defined in § 973.41.

Proposal No. 3: Add new definition to read as follows:

"Producer for other markets" means any person whose milk is received by a handler at a pool plant during November through June from a farm which was caused by a handler, who controls the marketing of such person's milk, to be received as non-pool milk at any time during the preceding months of July through October: *Provided,* This shall not apply to any person who was a producer-handler or a new producer.

Proposal No. 4: Revise § 973.8 to read as follows:

§ 973.8 "Pool plant" means any plant meeting the conditions of paragraph (a) or (b) of this section, except a plant granted exemption pursuant to § 973.62:

(a) A plant in which milk is processed or packaged and from which not less than 15 percent of its total disposition of Class I milk during the month is made within the marketing area on routes: *Provided,* That the total quantity of Class I milk disposed of from such plant during the month either inside or outside the marketing area, is equal to 40 percent or more of the total supply of Grade A received at the plant from dairy farmers and from other plants in any of the months of January through June, or to 60 percent or more of such total supply in any of the months of July through December; or

(b) (1) Any plant from which during any month an amount of milk or butterfat equal to 50 percent or more of its dairy farm supply of Grade A milk or butterfat for such month is delivered to a pool plant(s) described in paragraph (a) of this section: *Provided,* That if during each of the months of July through October 50 percent or more of its dairy farm supply of Grade A milk for such month is delivered from such plant to a pool plant(s) described in paragraph (a) of this section, it shall be designated as a pool plant through the following June 30th;

(2) In the case of producers whose milk was received at a plant (which had qualified as a pool plant pursuant to this paragraph the preceding months of July, August, September and October) on or more than 45 days during the months of April, May, and June, which is caused to be delivered directly to a pool plant(s) described in paragraph (a) of this section during any of the following months of July, August, September, or October, the milk of such producers for the purposes of this paragraph shall be considered as having been received at the plant at which it was received during April, May, and June, and as having been shipped from thence to the plant described in paragraph (a) of this section. Such change in routing of milk shall be evidenced by listing the producers of such milk on the payroll report submitted pursuant to § 973.32 for each plant involved and by appropriate notation on the respective reports, receipts and utilization submitted pursuant to § 973.30.

(3) In the case of a handler or cooperative owning and operating two or more plants, then such plants may retain their pool status on a system basis of qualification but any new pool plant owned and operated by the handler or cooperative must qualify on an individual plant basis during the first qualifying months of July, August, September, and October, before it can be included into the system.

Proposal No. 5: Revise § 973.9 to read as follows:

"Nonpool plant" means (a) any plant other than a pool plant in which milk is processed or packaged and from which milk is distributed in fluid form, or (b) any plant other than a pool plant in which milk is processed into a dairy product.

Proposal No. 6: Delete § 973.14 in its entirety and substitute the word "month" for the words "delivery period" wherever they appear in the order.

Proposal No. 7: Revise § 973.15 to read as follows:

"Producer milk" or "milk received from producers" means milk produced by one or more producers as defined in § 973.7.

Proposal No. 8: Revise § 973.16 to read as follows:

"Other source milk" means all skim milk and butterfat other than that skim milk and butterfat (a) contained in producer milk received, and (b) received from pool plants.

Proposal No. 9: Revise § 973.30 (a) by adding the following proviso after the words "Market Administrator": "*Provided,* That any handler qualifying or retaining pool status under the system basis as outlined in paragraph (c) of § 973.8 may furnish reports required in this section on the system instead of individual plants."

Proposal No. 10: Revise § 973.30 (a) (1) to read as follows:

(1) The quantities of skim milk and the quantities of butterfat contained in (or used in the production of) receipts from producers (including his own production), producer-handlers, pool plants and other source milk (including milk other than Grade A and milk from producers for other markets) and the sources thereof.

Proposal No. 11: Add the following as § 973.30 (c):

(c) Dual operations within one building and including operations within separate buildings on the same premises with connecting doorways, hallways, or pipelines, etc., shall be considered as one unit for reporting and verification under §§ 973.32, 973.33, 973.34, and 973.40 through 973.45.

Proposal No. 12: Revise § 973.41 (a) to read as follows:

Class I milk shall be all skim milk and butterfat disposed of for consumption in the form of milk, skim milk (including reconstituted skim milk), concentrated milk, buttermilk, flavored

milk drinks (except sterilized milk or milk drinks in metal hermetically sealed containers), cream (sweet or sour, including mixtures of cream and milk or skim milk containing less butterfat than the legal standard for cream), all producer milk diverted to non-pool plants, and all skim milk and butterfat not specifically accounted for pursuant to paragraph (b) of this section; and

Proposal No. 13: Revise § 973.43 (a) and (d) to read as follows:

Skim milk or butterfat transferred in fluid form as milk, skim milk, or cream, by a handler, shall be classified as follows:

(a) As Class I milk if transferred from one pool plant to the pool plant of another handler, unless utilization in Class II is mutually indicated to the market administrator in the report submitted by both handlers for the month in which such transfer occurred, but in no event shall the amount classified in either class exceed the total use in such class by the transferee handler: *Provided,* That if either or both handlers have received other source milk, the milk so transferred shall be classified at both plants so as to return the higher class utilization to producer milk.

* * * * *

(d) As Class I milk if transferred in the form of milk, skim milk, or transferred in the form of cream in consumer packages, and as Class I if transferred in the form of cream in bulk to a purchaser whose plant is located more than 100 miles from the marketing area.

Proposal No. 14: Revise § 973.44 to include the following proviso at the end thereof: "*Provided,* That when condensed milk or nonfat dry skim milk is used to fortify any Class I product, the pounds thereof to be accounted for as Class I shall be equivalent to the pounds of milk or skim milk used in production of condensed milk or powder."

Proposal No. 15: Revise § 973.53 to read as follows:

Subject to the differentials provided in § 973.55 and § 973.56 (a) the price for Class I milk shall be the basic price computed pursuant to § 973.51, plus 70 cents for the months of December through June; plus $1.10 for July through October; plus $1.00 for November: *Provided,* That the current supply-demand ratio shall be compared to the supply demand ratio for the same two months of the pervious year and the difference determined. The Class I utilization (milk and milk equivalent of cream sales) for the current month of the previous year shall be increased or decreased by a like amount to get the adjusted Class I utilization for the current month. For each full percent that the adjusted Class I utilization is above 80 or below 70 for July through November and above 70 or below 60 for December through June, the Class I price shall be increased or decreased 1 cent.

Proposal No. 16: Revise § 973.55 for clarification:

(a) With respect to milk received as producer milk at a pool plant and which is classified as Class I milk, the price per hundredweight computed pursuant to § 973.50 (a) shall be reduced by the amount indicated below for the distance that such plant is located from the Minnesota Transfer Viaduct over University Avenue in St. Paul. Such deduction shall be based on the airline mileage as computed by the market administrator.

LOCATION OF PLANT AND AMOUNT OF DEDUCTION

	Cents
0 to 15 miles	0
15 to 20 miles	8
20 to 30 miles	10
30 to 40 miles	12
40 to 50 miles	14
50 to 60 miles	15
60 to 70 miles	16
70 miles or over	[1] 17

[1] Plus an additional 1 cent for each 10 miles or fraction thereof in excess of 80 miles.

Proposal No. 17: Revise § 973.62 to read as follows:

§ 973.62 *Handlers subject to other orders.* In the case of any handler who the Secretary determines disposes of a greater portion of his milk in another marketing area regulated by another milk marketing order issued pursuant to the act, the provisions of this subpart shall not apply except as follows:

(a) The handler shall, with respect to his total receipts and utilization of skim milk and butterfat, make reports to the market administrator at such time and in such manner as the market administrator may require and allow verification of such reports in accordance with § 973.33.

(b) If the price which such handler is required to pay under the other order to which he is subject for skim milk and butterfat which are classified as Class I milk under this subpart, is less than the price provided by this subpart, such handler, on or before the 10th day after the end of the month in which a bill is rendered, shall pay to the market administrator for deposit into the producer-settlement fund (with respect to all skim milk and butterfat disposed of as Class I milk within the marketing area) an amount equal to the difference between the value of such skim milk or butterfat as computed pursuant to this order and its value as determined pursuant to the other order to which he is subject.

Proposal No. 18: Delete § 973.63 in its entirety.

Proposal No. 19: Add new section to read as follows:

§ 973.65 *Butterfat in skim milk.* A handler may claim, for classification purposes pursuant to §§ 973.40 through 973.45 butterfat in skim milk disposed of to others or used in the manufacture of milk products by including the butterfat content of such skim milk in his report for the month filed pursuant to § 973.30 (a) or by giving prior notification to the market administrator of his desire to do so. In the event that a handler does not have adequate records of the butterfat content of such skim milk, the market administrator shall use 0.065 percent as the butterfat content per hundredweight of such skim milk: *Provided,* That if the handler desires to discontinue accounting for butterfat in skim milk, or after discontinuing the accounting therefor desires to again account for the same, he may do so by notifying the market administrator in writing at least 30 days prior to the first day of the month during which such change shall become effective.

Proposal No. 20: Revise § 973.80 (a) to read as follows:

(a) To a cooperative association which is a handler on or before the 10th day after the end of the month in which the skim milk or butterfat was received at not less than the applicable class prices for all skim milk and butterfat received from such cooperative association or caused by it to be delivered to such handler directly from the producers' farms, less the amount of payment made pursuant to paragraph (c) of this section.

Proposal No. 21: Add the following as paragraphs (c) and (d) of § 973.80:

(c) On or before the 20th day of the month in which skim milk and butterfat was received, to a cooperative association which is a handler for skim milk and butterfat which was purchased or received from such cooperative association and for skim milk and butterfat which such cooperative association caused to be delivered directly from producers' farms to the plant of such handler during the first 15 days of such month at the value of such skim milk or butterfat based on the Class I price of the previous month. If such payment is not made, five percent interest shall be added from the 20th day of the month until payment is received.

(d) A bargaining cooperative may collect the uniform price for its members' milk from handler, but the handler shall be responsible to the pool at the class values.

Proposed by the Baldwin Cooperative Creamery et al.

Proposal No. 22: Amend §§ 973.7, 973.8, 973.9, 973.16, 973.41 (a) to the effect that producer milk may be diverted to a non-pool plant during the months of July through November.

Proposal No. 23: Amend § 973.8 (3) to read as follows:

(3) From the effective date hereof until July 1, 1957, in the case of the following listed pool plants, owning and operating two or more plants, such plants may retain their pool status on a system or individual basis of qualification, but any new plant owned and operated by any of the following listed pool plants must qualify on the individual basis during the first qualifying months of July, August, September and October of 1957 before it can be included into the system, with said plants listed as follows:

Baldwin Cooperative Creamery, Baldwin, Wis.

Buffalo Cooperative Creamery, Buffalo, Minn.

Butternut Cooperative Creamery, Luck, Wis.

Ellsworth Cooperative Creamery, Ellsworth, Wis.

Rock Ridge Cooperative Creamery, Dresser, Wis.

Twin City Milk Producers Association, Anoka, Minn.
Twin City Milk Producers Association, Elk River, Minn.
Twin City Milk Producers Association, Farmington, Minn.
Twin City Milk Producers Association, Lake Elmo, Minn.
Twin City Milk Producers Association, Minneapolis, Minn.
Twin City Milk Producers Association, Northfield, Minn.
Twin City Milk Producers Association, River Falls, Wis.
Twin City Milk Producers Association, Watertown, Minn.
Wisconsin Cooperative Dairies, Inc., Menomonie, Wis.
Farmers Cooperative Creamery, Clear Lake, Wis.

Proposal No. 24: Amend §§ 973.30 and 973.45 and all other relevant sections of Order No. 73, to the effect that the overage and shrinkage shall be allocated on a pro rata basis between the producer milk and nonproducer milk on the basis of receipts, provided such total receipts are within one building for which approval has not been granted for a separate operation.

Proposal No. 25: Amend §§ 973.32, 973.33, 973.34, and 973.40 through 973.45 and all other relevant sections, to the effect that, for the purposes of reporting, verification, accounting and paying, dual operations within one building and including operations within separate buildings on the same premises with connecting doorways, hallways or pipelines, etc. shall be considered as separate units for all these purposes, if the plant facilities are in fact separate, whether physically by walls, etc. or my means of proper control through the health authority having jurisdiction for the approval of the milk.

Proposal No. 26: Eliminate §973.52 and amend §§ 973.53, 973.54 and such other sections as to eliminate the effect of the supply-demand adjuster from the order.

Proposed by the Boyceville Farmers Cooperative Creamery Association et al.

Proposal No. 27: Revise § 973.8 to include all plants within a radius of 100 miles of the Minnesota Transfer Viaduct over University Avenue in St. Paul, Minnesota, that dispose of Grade A milk.

Proposed by the Dairy Division, Agricultural Marketing Service.

Proposal No. 28: Amend § 973.22 (g) to read as follows:

(g) On or before the 5th working day of each delivery period, * * *

Proposal No. 29: Review § 973.43 (c) for clarification.

Proposal No. 30: Review base computation provisions in relation to proposals hereinbefore set forth regarding pool plant qualification and milk diversions.

Proposal No. 31: Make such other changes as may be required to make the entire marketing agreement and order conform with any amendment(s) thereto that may result from this hearing.

Copies of this notice of hearing and of the aforesaid tentative marketing agreement and order may be obtained from the market administrator, Room 307, 1750 Hennepin Avenue, Minneapolis 3, Minnesota, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Dated: January 30, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 57-807; Filed, Feb. 1, 1957; 8:49 a. m.]

Agricultural Research Service

[9 CFR Parts 16, 17, 18 and 28]

MEAT INSPECTION REGULATIONS

NOTICE OF PROPOSED AMENDMENTS

Notice is hereby given in accordance with section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that pursuant to the authority conferred by the Meat Inspection Act, as amended and extended (21 U. S. C. 71-96) and section 306 (b) of the Tariff Act of 1930 (19 U. S. C. 1306 (b)), it is proposed to amend §§ 16.13, 17.2, 17.8, 17.9, and 18.7 and Part 28 of the Meat Inspection Regulations (9 CFR 16.13, 17.2, 17.8, 17.9 and 18.7 and Part 28, as amended) as follows:

1. Section 16.13 (e) would be amended to read:

(e) When approved antioxidants are added to unsmoked dry sausage in casings, the product shall be legibly and conspicuously marked in an approved manner to show the presence and the percentage amount of such ingredients.

2. Section 17.2 (b) (2) would be amended by deleting the reference to "dried skim milk" and substituting therefor a reference to "nonfat dry milk", and by deleting the last proviso and the last sentence in said subparagraph.

3. Section 17.8 (c) (18), (19) and (20) would be deleted.

4. Section 17.8 (c) (25) would be amended to read:

(25) No rendered edible animal fat or mixture of fats containing rendered edible animal fat shall contain added water, except that puff pastry shortening and oleomargarine may contain water within the limits prescribed under Part 28 of this subchapter.

5. Section 17.8 (c) (50) would be amended by changing the first sentence therein to read: "The terms 'Animal Fat' and 'Meat Fat' may be used synonymously to identify rendered fats obtained from cattle, sheep, swine, or goats in the name of product and ingredient statement for meat food products."

6. Section 17.8 (c) (55) would be amended by deleting therefrom the phrases "Chopped Ham," and "Chopped Ham With Natural Juices,".

7. The heading and the first sentence in § 17.9 would be amended to read, respectively:

§ 17.9 *Labeling product prepared with artificial coloring, artificial flavoring, antioxidant or preservative.* Product which bears or contains any artificial coloring, artificial flavoring, antioxidant, or preservative as permitted under Parts 1 through 29 of this subchapter shall bear labeling stating that fact.

8. Section 17.9 (d) would be amended to read:

(d) When an antioxidant is added to product as permitted under Parts 1 through 29 of this subchapter there shall appear on the label in prominent letters and contiguous to the name of the product, a statement showing that fact and identifying the antioxidant and the percentage amount, except as otherwise provided in Part 28 of this subchapter.

9. The heading of § 18.7 would be amended to read: "*Use in preparation of meat food products of chemicals, antioxidants, coloring matter, flavorings, water, ice, cereal, vegetable starch, nonfat dry milk, etc.*"

10. Section 18.7 (d) would be amended by changing the word "preservatives" to "antioxidants" and the phrase "a preservative" to "an antioxidant" wherever they appear therein and the introductory portion of paragraph (d) would be amended to read: "With appropriate declaration, as provided in Parts 17 and 28 of this subchapter, the following antioxidants may be added, in the amounts indicated, to rendered animal fat or a combination of such fat and vegetable fat."

11. Part 28 would be amended by adding the following sections:

§ 28.4 *Lard; identity; optional ingredients; labeling.* (a) Lard is the plastic food which is prepared by rendering fresh, clean, sound, fatty tissues of hogs by an approved process. Such tissues do not include bones, detached skin, head skin, ears, tails, organs, windpipes, large blood vessels, scrap fat, skimmings, settlings, pressings, and similar material, and are reasonably free from muscle tissue and blood.

(b) Lard may contain one or more of the following optional ingredients:

(1) Lard stearine;
(2) Hydrogenated lard;
(3) Monoglycerides and/or diglycerides;
(4) Lecithin;
(5) Artificial coloring;
(6) The following antioxidants (singly or in combination, and with or without an acceptable solvent) in amounts not to exceed those specified in § 18.7 of this subchapter:
(i) Resin guaiac;
(ii) Nordihydroguaiaretic acid;
(iii) Tocopherols;
(iv) Lecithin;
(v) Butylated hydroxyanisole;
(vi) Butylated hydroxytoluene;
(vii) Propyl gallate;
(viii) Citric acid;
(ix) Phosphoric acid;
(x) Monoisopropyl citrate.

(c) (1) The label shall bear the name "Lard".

(2) When fresh leaf fat, to the exclusion of other fats, is used the label may bear the name "Leaf Lard".

(3) The type of rendering may be specified on the label in connection with the name of product such as "Prime Steam", "Dry Rendered", or "Open Kettle Rendered", as the case may be.

(4) When any ingredient named under one of the following specified subparagraphs of paragraph (b) of this section is used, the label shall bear the appropriate statement set forth after such specified subparagraph.

(i) Subparagraph (3): "Monoglycerides Added" or "Digylcerides Added", or "Mono and Diglycerides Added", as the case may be;

(ii) Subparagraph (4): "Lecithin Added";

(iii) Subparagraph (5): "Artificially Colored";

(iv) Subparagraph (6): "Antioxidant Added to Retard Rancidity" or "Antioxidants Added to Retard Rancidity", as the case may be.

(5) Whenever the name "Lard" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements prescribed in subparagraph (4) of this paragraph shall immediately and conspicuously precede or follow such name without intervening written, printed or other graphic matter.

§28.5 *Rendered pork fat; identity; optional ingredients; labeling.* (a) Rendered pork fat is the plastic food, other than lard, which is prepared by rendering, by an approved process, clean, sound, fatty tissues of hogs with or without other parts of carcasses or edible organs of such hogs (except stomachs, bones from the head, and bones from cured or cooked pork). The tissues are usually fresh but may be cured, cooked or otherwise prepared, and may consist in part of meat food products which are derived exclusively from pork.

(b) Rendered pork fat may contain one or more of the following optional ingredients:

(1) Rendered pork fat stearine;
(2) Hydrogenated rendered pork fat;
(3) Lard stearine;
(4) Hydrogenated lard or lard;
(5) Monoglycerides and/or diglycerides;
(6) Lecithin;
(7) Artificial coloring;
(8) The following antioxidants (singly or in combination, and with or without an acceptable solvent) in amounts not to exceed those specified in § 18.7 of this subchapter:
(i) Resin guaiac;
(ii) Nordihydroguaiaretic acid;
(iii) Tocopherols;
(iv) Lecithin;
(v) Butylated hydroxyanisole;
(vi) Butylated hydroxytoluene;
(vii) Propyl gallate;
(viii) Citric acid;
(ix) Phosphoric acid;
(x) Monoisopropyl citrate.

(c) (1) The label shall bear the name "Rendered Pork Fat".

(2) The type of rendering may be specified on the label in connection with the name of product such as "Steam Rendered", "Dry Rendered", or "Open Kettle Rendered", as the case may be.

(3) When any ingredient named under one of the following specified subparagraphs of paragraph (b) of this section is used, the label shall bear the appropriate statement set forth after such specified subparagraph:

(i) Subparagraph (5): "Monoglycerides Added" or "Diglycerides Added", or "Mono and Diglycerides Added" as the case may be.

(ii) Subparagraph (6): "Lecithin Added";

(iii) Subparagraph (7): "Artificially Colored";

(iv) Subparagraph (8): "Antioxidant Added to Retard Rancidity" or "Antioxidants Added to Retard Rancidity", as the case may be.

(4) Whenever the name "Rendered Pork Fat" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements prescribed in subparagraph (3) of this paragraph shall immediately and conspicuously precede or follow such name without intervening written, printed or other graphic matter.

§ 28.6 *Shortening containing meat fats; identity; optional ingredients; labeling.* (a) Shortening containing meat fats is the plastic food which is prepared in accordance with the provisions contained in subparagraph (1), (2), (3), or (4) of this paragraph.

(1) A mixture of two or more rendered fats or oils, or stearines derived therefrom (any or all of which may be deodorized and/or hydrogenated), of cattle, sheep, swine or goats.

(2) A mixture of one or more rendered fats or oils, or stearines derived therefrom (any or all of which may be deodorized and/or hydrogenated), of cattle, sheep, swine or goats, and one or more vegetable food fats or oils, or stearines derived therefrom (any or all of which may be deodorized and/or hydrogenated).

(3) A mixture of two or more rendered fats or oils, or stearines derived therefrom (any or all of which may be deodorized and/or hydrogenated), of cattle, sheep, swine or goats; and salt, and not more than 10 percent water.

(4) A mixture of one or more rendered fats or oils, or stearines derived therefrom (any or all of which may be deodorized and/or hydrogenated), of cattle, sheep, swine or goats, and one or more vegetable food fats or oils, or stearines derived therefrom (any or all of which may be deodorized and/or hydrogenated); and salt; and not more than 10 percent water.

(b) Shortening may contain one or more of the following optional ingredients:

(1) Monoglycerides and/or diglycerides;
(2) Lecithin;
(3) Lipids;
(4) Artificial coloring;
(5) The artificial flavoring diacetyl in product that has not been artificially colored;
(6) The following antioxidants (singly or in combination, and with or without an acceptable solvent) in amounts not to exceed those specified in § 18.7 of this subchapter;
(i) Resin guaiac;
(ii) Nordihydroguaiaretic acid;
(iii) Tocopherols;
(iv) Lecithin;
(v) Butylated hydroxyanisole;
(vi) Butylated hydroxytoluene;
(vii) Propyl gallate;
(viii) Citric acid;
(ix) Phosphoric acid;
(x) Monoisopropyl citrate.

(c) (1) When shortening is prepared in accordance with one of the following specified subparagraphs of paragraph (a) of this section, the label shall bear one of the statements set forth after such specified subparagraph:

(i) Subparagraph (1): "Shortening Prepared with Meat Fats" or "Shortening Made with Meat Fats" or "Shortening Prepared with Animal Fats" or "Shortening Made with Animal Fats";

(ii) Subparagraph (2): "Shortening Prepared with Meat Fat and Vegetable Fat" or "Shortening Prepared with Vegetable Fat and Meat Fat" or "Shortening Made with Meat Fat and Vegetable Fat" or "Shortening Made with Vegetable Fat and Meat Fat" or "Shortening Prepared with Animal Fat and Vegetable Fat" or "Shortening Prepared with Vegetable Fat and Animal Fat" or "Shortening Made with Animal Fat and Vegetable Fat" or "Shortening Made with Vegetable Fat and Animal Fat" or "Shortening Made with Animal and Vegetable Fat" or "Shortening Made with Vegetable and Animal Fat";

(iii) Subparagraph (3): "Puff Paste Shortening Prepared with Meat Fats" or "Puff Paste Shortening Made with Meat Fats" or "Puff Paste Shortening Prepared with Animal Fats" or "Puff Paste Shortening Made with Animal Fats";

(iv) Subparagraph (4): "Puff Paste Shortening Prepared with Meat Fat and Vegetable Fat" or "Puff Paste Shortening Prepared with Vegetable Fat and Meat Fat" or "Puff Paste Shortening Made with Meat Fat and Vegetable Fat" or "Puff Paste Shortening Made with Vegetable Fat and Meat Fat" or "Puff Paste Shortening Prepared with Animal Fat and Vegetable Fat" or "Puff Paste Shortening Prepared with Vegetable Fat and Animal Fat" or "Puff Paste Shortening Made with Animal Fat and Vegetable Fat" or "Puff Paste Shortening Made with Vegetable Fat and Animal Fat" or "Puff Paste Shortening Made with Animal and Vegetable Fat" or "Puff Paste Shortening Made with Vegetable and Animal Fat".

(2) When any ingredient named under one of the following specified subparagraphs of paragraph (b) of this section is used, the label shall bear the statement set forth after such specified subparagraph:

(i) Subparagraph (1): "Monoglycerides Added", or "Diglycerides Added", or "Mono and Diglycerides Added", as the case may be;

(ii) Subparagraph (2): "Lecithin Added";

(iii) Subparagraph (3): "Lipids Added";

(iv) Subparagraph (4): "Artificially Colored";

(v) Subparagraph (5): "Artificially Flavored" or "Artificial Flavoring Added";

(vi) Subparagraph (6): "Antioxidant Added to Retard Rancidity" or "Antioxidants Added to Retard Rancidity", as the case may be.

(3) If two or more of the optional ingredients named in subparagraphs (1), (2), (3) and (5) of paragraph (b) of this section are used, the word "Added" need appear only once at the end of the statement of such ingredients.

(4) Whenever the term "Shortening" is featured on the label so conspicuously as to be easily seen under customary conditions of purchase, the statements prescribed in subparagraphs (1), (2) and (3) of this paragraph shall immediately and conspicuously precede or follow such term without intervening written, printed or other graphic matter.

Any person who wishes to submit written data, views or arguments concerning the proposed amendments may do so by filing them with the Chief, Meat Inspection Branch, Agricultural Research Service, U. S. Department of Agriculture, Washington 25, D. C. within thirty days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C. this 30th day of January 1957.

[SEAL] M. R. CLARKSON,
Acting Administrator, Agricultural Research Service, Department of Agriculture.

[F. R. Doc. 57-809; Filed, Feb. 1, 1957; 8:50 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Order 551, Amdt. 28]

FORT BERTHOLD SEGREGATED FUND

DELEGATION OF AUTHORITY RELATIVE TO FUNCTIONS RELATING TO FUNDS AND FISCAL MATTERS

JANUARY 25, 1957.

Order No. 551, as amended by addition of a new section under the heading, *Functions Relating to Funds and Fiscal Matters,* to read as follows:

SEC. 268 *Fort Berthold Segregated Fund.* The approval of expenditures of segregated shares and the approval of expenditure plans submitted by adult Indians, including the authority to require any segregated share of a member to be used to pay a debt that is owed by such person to the Tribes or the United States, pursuant to the act of June 4, 1956 (70 Stat. 228). This authority shall not be redelegated.

[SEAL] GLENN L. EMMONS,
Commissioner.

[F. R. Doc. 57-738; Filed, Feb. 1, 1957; 8:45 a. m.]

Bureau of Land Management

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

JANUARY 28, 1957.

The University of Alaska has filed an application, Serial No. Anchorage 028185, for the withdrawal of the lands described below, from all forms of appropriation including mining and mineral leasing. The applicant desires the land for a scientific research center.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

U. S. Survey 2391:
Lot P-2, O-1, O-2,
Lot L, N.
U. S. Survey 3404 (approval pending), all.

Containing 25.86 acres.

L. T. MAIN,
Acting Operations Supervisor.

[F. R. Doc. 57-802; Filed, Feb. 1, 1957; 8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

JANUARY 1957 MONTHLY SALES LIST AMENDMENT

The price listing for the Commodity Credit Corporation Monthly Sales List for January 1957 is amended, effective January 9, 1957, as set forth below, pursuant to the policy of Commodity Credit Corporation issued October 12, 1954 (19 F. R. 6669), by the addition of the following:

Commodity and approximate quantity available (subject to prior sale)	Sales price or method of sale
Butter (in carloads only) as available.	Domestic, unrestricted use: 63.25 cents per pound, New York, New Jersey, Pennsylvania, New England and other States bordering the Atlantic Ocean and Gulf of Mexico. All other States 62.5 cents per pound. Domestic, restricted use: Under Da-111 and supplements. For use as an extender for cocoa butter in the manufacture of chocolate, 39 cents per pound. Export, unrestricted use: Under LD-7. 39 cents per pound.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. 714b. Interpret or apply sec. 407, 63 Stat. 1053; 7 U. S. C. 1427, sec. 208, 63 Stat. 901)

Issued: January 29, 1957.

[SEAL] CLARENCE L. MILLER,
Acting Executive Vice-President, Commodity Credit Corporation.

[F. R. Doc. 57-787; Filed, Feb. 1, 1957; 8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 11825, 11826; FCC 57M-81]

VICTORIA TELEVISION CO. AND ALKEK TELEVISION CO.

ORDER CONTINUING HEARING CONFERENCE

In re applications of O. L. Nelms, d/b as Victoria Television Company, Victoria, Texas, Docket No. 11825, File No. BPCT-2084; Albert B. Alkek, d/b as Alkek Television Company, Victoria, Texas, Docket No. 11826, File No. BPCT-2109; for construction permits for new television stations.

The Hearing Examiner having under consideration a motion for postponement filed on January 25, 1957, by Victoria Television Company, requesting that further proceedings in the above-entitled case be postponed for a period of 30 days in order to permit the applicants to negotiate a possible merger;

It appearing, that counsel for Alkek Television Company and for the Broadcast Bureau have informally consented to an immediate consideration and grant of such motion; and good cause has been shown for the grant thereof;

It is ordered, This 25th day of January 1957, that the motion be and it is hereby granted and the time for exchange of exhibits, presently scheduled for January 25, 1957, be and it is hereby extended to February 25, 1957, and the further pre-hearing conference, presently scheduled for February 4, 1957, be and it is hereby extended to March 6, 1957, at 10 o'clock a. m., in Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-794; Filed, Feb. 1, 1957; 8:47 a. m.]

[Docket Nos. 11836, 11837; FCC 57M-86]

PLAINVIEW RADIO AND STAR OF THE PLAINS BROADCASTING CO.

ORDER REOPENING HEARING AND SCHEDULING CONFERENCE

In re applications of Earl S. Walden, Homer T. Goodwin and Leroy Durham d/b as Plainview Radio, Plainview, Texas, Docket No. 11836, File No. BP-10200;

Troyce H. Harrell & Kermit S. Ashby d/b as Star of the Plains Broadcasting Company, Slaton, Texas, Docket No. 11837, File No. BP-10499; for construction permits.

Pursuant to the Commission's order of January 10, 1957, granting a petition by Plainview Radio, filed on October 29, 1956, to enlarge the issues in the above-entitled proceeding by the addition of three new issues listed therein: *It is ordered,* This 28th day of January 1957, that the record of hearing in the said proceeding, which was closed on December 28, 1956, is hereby reopened for further hearing; that a hearing conference in the said proceeding is hereby scheduled to be held at 10:00 o'clock a. m., on Monday, February 4, 1957, in the offices of this Commission, Washington, D. C., for the purpose of establishing procedures conducive to the expedition of the further hearing therein, to be scheduled at a later date; and that the Proposed Findings of Fact and Conclusions on the present hearing record, now scheduled to be filed by the parties to the said proceeding on or before February 4, 1957, shall not be filed until a date to be fixed subsequent to the termination of the further hearing therein, for the filing of such Proposed Findings and Conclusions on the entire record.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-795; Filed, Feb. 1, 1957; 8:47 a.m.]

[Docket No. 11882; FCC 57M-88]

OREGON RADIO, INC. (KSLM)

ORDER CONTINUING HEARING

In re application of Oregon Radio, Incorporated (KSLM), Salem, Oregon, Docket No. 11882, File No. BP-10272; for construction permit.

The Hearing Examiner having under consideration a motion for continuance filed by the applicant on January 22, 1957;

It appearing that the hearing is now scheduled to commence on February 20, 1957, but the applicant proposes to take certain measurements in an effort to resolve a question of interference and such measurements cannot be taken during the winter months owing to the conditions which would exist along the radial in question; and

It further appearing that no objection has been expressed by other parties to this proceeding;

It is ordered, This 29th day of January 1957, that the motion for continuance of Oregon Radio, Incorporated, is granted and the hearing is continued from February 20 to May 20, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-796; Filed, Feb. 1, 1957; 8:47 a. m.]

[Docket No. 11886; FCC 57M-94]

VOLUSIA COUNTY BROADCASTING CORP.

NOTICE OF PRE-HEARING CONFERENCE

In re application of Volusia County Broadcasting Corporation, Daytona Beach, Florida, Docket No. 11886, File No. BP-10396; for construction permit.

Notice is hereby given that a pre-hearing conference in the above-entitled proceeding is scheduled to be held at 10:00 o'clock a. m., on Tuesday, February 12, 1957, in the offices of this Commission, Washington, D. C.

Dated: January 29, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-797; Filed, Feb. 1, 1957; 8:47 a. m.]

[Docket No. 11900; FCC 57M-95]

MACKAY RADIO AND TELEGRAPH CO., INC.

NOTICE OF PRE-HEARING CONFERENCE

In re application of Mackay Radio and Telegraph Company, Inc., Docket No. 11900; revision of Tariff F. C. C. No. 37 to broaden offer of tieline connections for telex users.

Notice is hereby given that a pre-hearing conference in the above-entitled proceeding is scheduled to be held at 9:00 o'clock a. m., on Friday, February 1, 1957, in the offices of this Commission, Washington, D. C.

Dated: January 29, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-798; Filed, Feb. 1, 1957; 8:48 a. m.]

[Docket Nos. 11915, 11916; FCC 57M-87]

JOHN S. CHAVEZ ET AL.

ORDER SCHEDULING HEARING

In re applications of John S. Chavez, Raul G. Amaya, Guadalupe Caballero, Salvador Villareal and Gabriel S. Chavez, Ysleta, Texas, Docket No. 11915, File No. BP-10639; Robert L. Howsam, El Paso, Texas, Docket No. 11916, File No. BP-10681; for construction permits.

It is ordered, This 28th day of January 1957, that Millard F. French will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 19, 1957, in Washington, D. C.

Released: January 29, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-799; Filed, Feb. 1, 1957; 8:48 a. m.]

[Docket Nos. 11917 etc.; FCC 57M-79]

INDEPENDENT BROADCASTERS ET AL.

ORDER SCHEDULING HEARING

In re applications of C. E. Wilson and P. D. Jackson, d/b as Independent Broadcasters, Redding, California, Docket No. 11917, File No. BP-10313; Donnelly C. Reeves, John E. Griffin and A. Judson Sturtevant, Jr., d/b as Placer Broadcasters, Auburn, California, Docket No. 11918, File No. BP-10560; Charles Everett Halstead, Jr., tr/as Golden State Broadcasters, Auburn, California, Docket No. 11919, File No. BP-10714; for construction permits.

It is ordered, This 25th day of January 1957, that H. Gifford Irion will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 12, 1957, in Washington, D. C.

Released: January 28, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-800; Filed, Feb. 1, 1957; 8:48 a. m.]

[Docket Nos. 11920, 11921; FCC 57M-80]

JANE A. ROBERTS AND BELLEVUE BROADCASTERS

ORDER SCHEDULING HEARING

In re applications of Jane A. Roberts, Bothell, Washington, Docket No. 11920, File No. BP-10383; F. Kemper Freeman and Florence G. Hayes d/b as Bellevue Broadcasters, Bellevue, Washington, Docket No. 11921, File No. BP-10564; for construction permits.

It is ordered, this 25th day of January 1957, that H. Gifford Irion will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 26, 1957, in Washington, D. C.

Released: January 28, 1957.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-801; Filed, Feb. 1, 1957; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6720]

MONTANA-DAKOTA UTILITIES CO.

NOTICE OF APPLICATION

JANUARY 29, 1957.

Take notice that on January 22, 1957, an application was filed with the Federal Power Commission pursuant to sections 203 and 204 of the Federal Power Act by Montana-Dakota Utilities Co. ("Applicant"), a corporation organized under the laws of the State of Delaware

and doing business in the States of Minnesota, Montana, North Dakota, South Dakota and Wyoming, with its principal business office at Minneapolis, Minnesota, seeking an order authorizing Applicant to merge or consolidate facilities by taking over, operating and acquiring the utility properties to be constructed by or for Dakotas Electric Cooperative, Inc. (hereinafter referred to as "Cooperative") to consist of an electric substation at Glenham, South Dakota, and to assume upon purchase of the facilities, referred to above, a note in the face amount of $870,000 evidencing the indebtedness of Cooperative to the United States of America in connection with the construction of said facilities. Applicant will construct or cause to be constructed the Glenham substation, which will be conveyed to and become the property of the Cooperative and will be subjected to the Cooperative's mortgage securing its obligations to the United States. The Cooperative will issue its note to the United States in the face amount of $870,000, and the funds to be received by the Cooperative from the United States in connection with such note will be used to reimburse Applicant for the cost of the substation. The note will be dated September 28, 1956, will bear interest at 2 percent per annum, have an interest accumulation period of two years, and will be payable in equal quarterly installments of principal and interest thereafter for 35 years after the date of the note. Applicant will operate the Glenham substation as an integral part of its Dakota Electric system and will make such payments to the Cooperative to meet its payments on the note and at a later date will purchase the substation.

Any person desiring to be heard or make any protst with reference to said application should on or before February 20, 1957, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file and available for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 57-781; Filed, Feb. 1, 1957; 8:45 a. m.]

[Docket Nos. G-11141, G-11159]

TRANSCONTINENTAL GAS PIPE LINE CORP., AND PURE OIL CO.

NOTICE OF APPLICATIONS AND DATE OF HEARING

JANUARY 29, 1957.

Take notice that on September 26, 1956, Transcontinental Gas Pipe Line Corporation (Transco) filed in Docket No. G-11141 an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing it to construct, install, and operate certain facilities in Vermilion Parish, Louisiana, which together with their estimated costs are as follows:

265 H. P. Gueydan Booster Station, Gueydan Field	$128,000
Gueydan—S. E. Gueydan Purchase Meter Station on the proposed 6-inch pipeline	19,000
6.65 miles of 6-inch Gueydan Lateral from Transco's existing 18-inch main line Louisiana Lateral to a point of connection with the proposed Booster Station	203,000
2.69 miles of 4-inch pipeline from S. E. Gueydan Field to the proposed Booster Station	58,000
Total direct cost	408,000
Overhead, interest, etc	42,000
Total estimated cost	450,000

Transco states that the costs of facilities are to be financed by cash on hand.

Also take notice that on September 28, 1956, The Pure Oil Company (Pure) filed in Docket No. G-11159 an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act to sell gas in interstate commerce to Transco from the Gueydan and Southeast Gueydan Fields, Vermilion Parish, Louisiana, pursuant to a 20-year gas sales precedent agreement between Transco and Pure dated August 29, 1956.

Both applications are on file with the Commission and open for public inspection.

Pure states that the gas to be supplied by it will come from two producing wells in the Southeast Gueydan gas field and from 12 wells in the Gueydan oil field, both in Vermilion Parish, Louisiana. Delivery to Transco from the Southeast Gueydan Field is to be 3,300 Mcf per day (minimum) to 4,500 Mcf per day (maximum). Delivery of gas from the 12 wells, on leases owned or controlled by Pure, in the Gueydan oil field is to be 300 Mcf per day (minimum) to 1,000 Mcf per day (maximum).

Transco alleges that deliveries to it from both fields will be made at its proposed meter station which will be on the proposed 6-inch line, and from this point and line the gas will be commingled with other gas in Transco's 18-inch main lateral line and will enter the 30-inch main line at Station No. 5.

Transco also alleges that no new or additional services are proposed as a result of the installation of faciilties by which the additional supply is to be made available to the system.

These related matters should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 26, 1957, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 15, 1957. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 57-782; Filed, Feb. 1, 1957; 8:45 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3847]

CANADIAN COLLIERIES (DUNSMUIR), LTD.

NOTICE OF APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY OF HEARING

JANUARY 28, 1957.

In the matter of Canadian Collieries (Dunsmuir), Ltd., Common Stock, $3 Par Value, File No. 1-3847.

The above named issuer, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, has made application to withdraw the specified security from listing and registration on the American Stock Exchange.

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

The listing application was approved by the American Stock Exchange on February 2, 1955 and registration became effective on or about March 10, 1955 by lapse of the usual 30-day waiting period. The stock was never admitted to dealings on said Exchange by reason of the Commission's question of the estimation in Form 10 of the amount of oil reserves. On December 1, 1955 the Company sold its oil properties and its Board of Directors is of the opinion that with this sale and consequent change in nature of business it is no longer in the best interests of the Company and its stockholders to continue the listing on the American Stock Exchange.

Upon receipt of a request, on or before February 15, 1957, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing

on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-783; Filed, Feb. 1, 1957; 8:46 a. m.]

[File No. 1-3851]

SOUTHERN PRODUCTION CO., INC.

NOTICE OF APPLICATION TO STRIKE FROM LISTING AND REGISTRATION, AND OF OPPORTUNITY FOR HEARING

JANUARY 29, 1957.

In the matter of Southern Production Company, Inc., Common Stock, File No. 1-3851.

New York Stock Exchange has made application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, to strike the above named security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

Stockholders at a special meeting held October 11, 1956 proposed a sale of assets and complete liquidation of the Company. The sale is reported to have been consummated on November 1, 1956. An initial liquidating dividend of $34 in cash and 0.2114 share of Southern Natural Gas Company common stock per Southern Production Company share was paid November 16, 1956. Dealings on the applicant Exchange were suspended before the opening of the trading session on January 2, 1957. The last sale in 1956, ex-distribution, was reported by the press at 2½.

Upon receipt of a request, on or before February 15, 1957, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-785; Filed, Feb. 1, 1957; 8:46 a. m.]

[File No. 70-3546]

PUBLIC SERVICE CO. OF OKLAHOMA

ORDER GRANTING APPLICATION REGARDING THE ISSUANCE AND SALE AT COMPETITIVE BIDDING OF NEW BONDS

JANUARY 29, 1957.

Public Service Company of Oklahoma ("Oklahoma"), a public utility subsidiary of Central and Southwest Corporation, a registered holding company, has filed an application and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 promulgated thereunder, regarding the following proposed transactions:

Oklahoma proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $12,000,000 principal amount of its First Mortgage Bonds ("New Bonds"), Series F, to be dated February 1, 1957, and to mature February 1, 1987. The New Bonds will be issued under and secured by an Indenture of Mortgage, dated July 1, 1945, between Oklahoma and The First National Bank and Trust Company of Tulsa, as Trustee, as amended by indentures supplemental thereto and to be further amended by a proposed Supplemental Indenture to be dated February 1, 1957. The interest rate on the New Bonds (which shall be a multiple of one-eighth of 1 percent) and the price, exclusive of accrued interest, to be paid Oklahoma for the New Bonds, which price shall be not less than 97.25 percent and not more than 102.75 percent of the principal amount thereof, will be determined by the competitive bidding.

The net proceeds (after expenses and exclusive of accrued interest) to be received from the issuance and sale of the New Bonds will be used by the company to pay for a part of the cost of additions, extensions and improvements to its electric utility properties and for the payment or prepayment of short-term bank debt of the company incurred and to be incurred for that purpose. Such bank debt aggregated $6,000,000 at December 10, 1956, and may be increased by about $6,000,000 prior to the receipt by the company of the proceeds of the bonds. It is further stated that Oklahoma's construction expenditures for the calendar years 1957 and 1958 are presently estimated at about $26,200,000 and $24,800,000, respectively.

The issuance of the new bonds have been authorized by the Corporation Commission of the State of Oklahoma and no other State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Fees and expenses payable by the company in connection with the issuance and sale of the new bonds are estimated as follows:

Securities and Exchange Commission, filing fee	$1,248
Federal original issue stamp tax	13,200
Printing of registration statement, prospectus, bidding documents, supplemental indenture, and other documents	7,000
Preparation of bonds	2,700
Accountants' fees (Arthur Andersen & Co.)	1,500
Trustee's fees (The First National Bank and Trust Co. of Tulsa)	6,250
Recordation of supplemental indenture	1,000
Reimbursement of underwriters for expenses and counsel fees in connection with qualification or registration under State securities laws	800
Fees of Middle West Service Co., Chicago, Ill	5,000
Counsel fees (Stevenson, Dendtler, Bailey & McCabe, Chicago, Ill., and T. M. Markley, Tulsa, Okla.)	[1] 6,000
Miscellaneous expenses, including traveling, telephone, etc	1,302
Total	46,000

[1] Portion of annual retainer fee estimated to be allocable to the proposed bond financing. No allocation is made in respect of any part of the salary paid to T. M. Markley, an employee and general counsel of the company.

The legal fee and out-of-pocket expenses of Messrs. Isham, Lincoln & Beale, Chicago, Illinois, who have been selected by the Company to act as counsel for the successful bidder or bidders for the bonds, are estimated at not to exceed $6,000 and $250, respectively. Such fee and expenses are to be paid by the successful bidder or bidders.

Due notice of the filing of the application having been given in the manner prescribed by Rule U-23 (Holding Company Act Release No. 13361) and no hearing having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and of the rules promulgated thereunder are satisfied, that the fees and expenses set forth above are not unreasonable, and that the application as amended should be granted forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the application as amended be, and the same hereby is, granted forthwith, subject to the terms and conditions prescribed in Rule U-24 and Rule U-50.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 57-784; Filed, Feb. 1, 1957; 8:46 a. m.]

UNITED STATES TARIFF COMMISSION

STRAIGHT (DRESSMAKERS' OR COMMON) PINS

"ESCAPE CLAUSE" REPORT

JANUARY 30, 1957.

The Tariff Commission today made public its report to the President in "es-

cape clause" investigation No. 52 under section 7 of the Trade Agreements Extension Act of 1951, as amended, with respect to straight (dressmakers' or common) pins dutiable under paragraph 350 of the Tariff Act of 1930. Such pins were originally dutiable under the Tariff Act of 1930 at 35 percent ad valorem. They are now subject to a duty of 20 percent ad valorem, which rate became effective January 1, 1948, as a result of a concession granted in the General Agreement on Tariffs and Trade.

The Commission found (Commissioners Schreiber and Sutton dissenting) that straight (dressmakers' or common) pins are being imported into the United States in such increased quantities, both actual and relative, as to threaten serious injury to the domestic industry producing like or directly competitive articles. The Commission also found that in order to prevent such serious injury, it is necessary that the duty on such pins be increased to 35 percent ad valorem.

Copies of the Commission's report, which includes majority and minority views, are available upon request as long as the limited supply lasts. Address requests to the United States Tariff Commission, 8th and E Streets NW., Washington 25, D. C.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc. 57-803; Filed, Feb. 1, 1957; 8:48 a. m.]

SAFETY PINS

"ESCAPE CLAUSE" REPORT

JANUARY 30, 1957.

The Tariff Commission today made public its report to the President in "escape clause" investigation No. 53 under section 7 of the Trade Agreements Extension Act of 1951, as amended, with respect to safety pins dutiable under paragraph 350 of the Tariff Act of 1930. Such pins were originally dutiable under the Tariff Act of 1930 at 35 percent ad valorem. They are now subject to a duty of 22½ percent ad valorem, which rate became effective April 21, 1948, as a result of a concession granted in the General Agreement on Tariffs and Trade.

The Commission found (Commissioners Schreiber and Sutton dissenting) that safety pins are being imported into the United States in such increased quantities, both actual and relative, as to cause or threaten serious injury to the domestic industry producing like or directly competitive articles. The Commission also found that in order to remedy this serious injury, it is necessary that the duty on such pins be increased to 35 percent ad valorem.

Copies of the Commission's report, which includes majority and minority views, are available upon request as long as the limited supply lasts. Address requests to the United States Tariff Commission, 8th and E Streets NW., Washington 25, D. C.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc. 57-804; Filed, Feb. 1, 1957; 8:49 a. m.]

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[Amdt. 12]

ORGANIZATION AND FUNCTIONS

CHANGES IN ADDRESSES OF AIRPORT DISTRICT OFFICES

Correction

Federal Register Document 57-751, published on page 678 of the issue for Friday, February 1, 1957, should be designated "Amdt. 12", as set forth above.

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 30, 1957.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 33216: *Rubber tires from Alabama and Tennessee to Manchester, N. H.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on tires, artificial, guayule, natural, neoprene, or synthetic rubber, pneumatic and parts, carloads, from Gadsden, Gaird, and Tuscaloosa, Ala., and Memphis, Tenn., to Manchester, N. H.

Grounds for relief: Short-line distance formula and circuitous routes.

Tariff: Supplement 12 to Agent C. A. Spaninger's I. C. C. 1539.

FSA No. 33217: *Lumber from Leivasy, W. Va., to North Carolina points.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on lumber, carloads, from Leivasy, W. Va., to Greensboro, Mount Airy, Ramseur, Sanford, and Siler City, N. C.

Grounds for relief: Circuitous routes.

Tariff: Supplement 146 to Agent C. A. Spaninger's I. C. C. 1297.

FSA No. 33218: *Hides, pelts and skins from lower Mississippi River Crossings to Taunton, Mass.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on hides, pelts, skins, not dressed nor tanned, namely: Cattle, calf, goat, hog, and sheep, green salted or pickled, carloads, from Baton Rouge and New Orleans, La., Natchez, Miss., and Memphis, Tenn., to Taunton, Mass.

Grounds for relief: Circuitous routes in part west of the Mississippi River.

FSA No. 33219: *Newsprint and ground wood paper to Memphis, Tenn.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on newsprint and ground wood paper, carloads from Madawaska, Millinocket, and East Millinocket, Maine, to Memphis, Tenn.

Grounds for relief: Circuitous routes in part west of the Mississippi River.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 57-791; Filed Feb, 1, 1957; 8:47 a. m.]

[No. MC-C-2072]

RATES AND CHARGES ON SHOE DRESSING FROM BROOKLYN, N. Y. AND CRANFORD, N. J. TO ATLANTA, GA.

FIRST SUPPLEMENTAL ORDER

At a session of the Interstate Commerce Commission, Appellate Division 2, held at its office in Washington, D. C., on the 23rd day of January A. D. 1957.

In the original order in this proceeding, the Commission, Appellate Division 2, upon its own motion, entered upon an investigation concerning rates, and charges, and the rules, regulations and practices affecting such rates and charges, applicable on interstate or foreign commerce, of shoe dressing or blacking from Brooklyn, N. Y. and Cranford, N. J. to Atlanta, Ga., as set forth in schedules of Motor Carrier Traffic Association, Inc., Agent, and Southern Motor Carriers Rate Conference, Agent;

It appearing, that the following schedules contain rates and charges, and rules, regulations and practices affecting such rates and charges, applying on shoe dressing or blacking from Brooklyn, N. Y. and Cranford, N. J. to Chamblee, Ga.:

Southern Motor Carriers Rate Conference, Agent: In Supplement 56 to MF-I. C. C. No. 804, on page 83 thereof, Indexes 24334 and 24335;

or as the same may be amended or reissued:

It further appearing, that upon consideration of the tariff schedules shown in the foregoing, there is reason to institute an investigation to determine whether they result in rates and charges, rules or regulations and practices that are unjust and unreasonable in violation of the Interstate Commerce Act; and good cause appearing therefor:

It is ordered, That this investigation be, and it is hereby, broadened, upon the Commission's own motion, into and concerning the lawfulness of the rates, charges, rules, regulations and practices contained in schedules designated herein, or as the same may be amended or reissued, with a view to making such findings and orders in the premises as the facts and circumstances shall warrant.

It is further ordered, That the investigation in this proceeding shall not be confined to the matters and issues hereinbefore stated as the reason for instituting this investigation, but shall include all matters and issues with respect to the lawfulness of the said rates, charges, rules, regulations and practices under the Interstate Commerce Act.

It is further ordered, That a copy of this order be served on the respondents' attorneys in fact and that further notice of this proceeding be given to the respondents, and that notice be given to the general public by posting a copy of this order in the office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

And it is further ordered, That this matter be assigned for hearing at a time and place to be hereafter fixed.

By the Commission, Appellate Division 2.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 57-761; Filed, Jan. 31, 1957; 8:48 a. m.]